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HEGEL

The Philosophy of Right

The Philosophy of History

BY GEORG WILHELM FRIEDRICH HEGEL



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BIOGRAPHICAL NOTE

GEORG WILHELM FRIEDRICH HEGEL 1770–1831

HEGEL was born at Stuttgart, August 27 17 0 the oldest child f a minor tat fficial. His achievem nt t th local grammar school and gymnasium was not rema kable A journal fr m that tim co tains e d nce of interest in hi t ry Greek nd Latin literatu e and theol ogy and he then bega his lif lo g habit of making cop us extracts from his e di g wh ch he annotated and arranged alphabetically At the ge f ghtee he ntered the Uni ersity of T bingen as a student of the logy But he show d little aptitude for theol gy his sermons were a failur and he found more congenial reading in th cla sics The certificate whi h he re ei ed in 1793 c mmended his excellent tal ts but de la ed that his industry and knowl edge w re m diocre his speaking poo a d that he was particularly deficie t n philosophy He eems to ha p ofited most f om the compan hip of his friend tably H ld rh a d S h lling with wh m h read Ka t and Plat

On leaving T bingen Heg l bec me a tut r in pri at family as had Ka t d F hte be f him. He held ch po t first t Bern (93 796) d th t F ankfurt (97 800) F om th years whe h was t to th re main larg numbe of m ripts in vari us st ges f mpl ti n and f rying importan e but ll indicat e of a gr t deal of

a th first systematic tatem nt his phil o- phy

drawal specifying among other requirements a good beer Expres ng his j y at the recent friend in the academ c w rld

thus ta k how ca I return t life of mankind Schell g s answer mu t ha e been enthu i stic fo Hegel abando ed his plans for a qu et acation and j i ed him at Jena al m st mmediat ly He e he became a *Pri at d cent* t the univ rs ty after he had pr se t d d s e tati n a treati e *O the*

cam d st ct d he s t abo t p epari g a sys tematic xpo it I the pref ce t his first

day befo the b ttle afte xpre g anx ty rega di g th fate f his m n cripts then on th w y to th print r he spoke of s ng Na poleon I saw th Empe or—that world soul— ride thr gh the t wn to re nno tre It i d ed trang feeling to see such pers n wh here f om a single po nt sitting n his ho e rea he r d m t th wo ld!

Th Ph omen l gy f Spirit appeared i 1807 desp te the w b t Heg l himself was at

loose ends For a time (1807 1808) he edited the *Bamberger Zeitung* but finding journalism distasteful he accepted a position as headmaster of the *Aegidien gymnasium* at Nuremberg where he remained until 1816 In 1811 he married Two volumes of his *Science of Logic* were published in 1812 and a third in 1816 and he was offered professorships at Erlangen Heidel

1817 the offer of Berlin was renewed and accepted and he occupied the chair vacant since the death of Fichte

The thirteen years of Hegel s professorship

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On the 7th of November 1831 Hegel finished the preface to a second edition of his *Logic* In closing he recalled the legend that Plato revised the *Republic* seven times and remarked that despite this illustrious example the writer must content himself with what he has been allowed to achieve under the pressure of circumstances the unavoidable waste caused by the extent and many sidedness of the interests of the time and the haunting doubt whether amid the loud clamor of the day and the deafening babble of opinion there is left any room for sympathy with the passionless stillness of a science of pure thought Seven days later he died of cholera and was buried as he had wished between Fichte and Solger

GENERAL CONTENTS

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The thirteen years of Hegel s professorship at the Univer ity of Berlin (1818 1831) brought him to the summit of his career and made him the recognized leader of philosophic thought in Germany With every year his personal prestige and following increased until his name was linked with that of Goethe by his more enthusiastic disciples In 1821 he published *The Philosophy of Right* the last of the large works published in his lifetime His lectures on aesthetics the philosophy of religion the philosophy of history and the history of philosophy were constantly revised and improved and finally published after his death In 1830 he became rector of the university and was decorated by Frederick William III of Prussia

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ABBREVIATIONS

Hegel's Works

Aesthetic	= *Hegel's Philosophy of Fine Art*, translated by F. P. B. Osmaston, 4 vols., London, 1916
Enc.	= *Encyclopaedia of the Philosophical Sciences*
Hegel's eR.	= *Hegels eigenhändige Randbemerkungen zu seiner Rechtsphilosophie*, hrsg. von G. Lasson, Leipzig, 1930
History of Philosophy	= *Hegel's History of Philosophy*, translated by E. S. Haldane, 3 vols., London, 1892
Phenomenology	= *Hegel's Phenomenology of Mind*, translated by Sir J. B. Baillie, 2nd edn., London, 1931
Philosophy of History	= *Hegel's Philosophy of History*, translated by J. Sibree, pp. 153–369 in this volume
Philosophy of Religion	= *Hegel's Philosophy of Religion*, translated by the Rev. E. B. Speirs and J. Burdon Sanderson, 3 vols., London, 1895
Science of Logic	= *Hegel's Science of Logic*, translated by W. H. Johnston and L. G. Struthers, 2 vols., London, 1929
Werke or	= *Hegels sämtliche Werke*, neu hrsg. von H. Glockner, Stuttgart, 1927 ff. The pagination quoted is that of the original edition which is given in the margin of Glockner's reprint

Editions and Translations of the Philosophy of Right

Bolland	= *Hegels Grundlinien der Philosophie des Rechts*, hrsg. von G. J. P. J. Bolland, Leyden, 1902
Gans	= *Hegels sämtliche Werke*, vol. viii, Berlin, 1st edn. 1833, 3rd edn. 1854
Lasson	= *Hegels Grundlinien der Philosophie des Rechts*, neu hrsg. von G. Lasson, 2nd edn., Leipzig, 1921
Messineo	= *Hegel, Lineamenti di filosofia del diritto*, tradotti da Francesco Messineo, Bari, 1913
Sterrett	= *The Ethics of Hegel, translated selections from his Rechtsphilosophie*, with an introduction by J. Macbride Sterrett, D.D., Boston, 1893

Other Works

Science of Knowledge	= *Fichte's Science of Knowledge* (*Wissenschaftslehre*), translated by A. E. Kroeger, London, 1889
Science of Rights	= *Fichte's Science of Right* (*Grundlage des Naturrechts*), translated by A. E. Kroeger, London, 1889. References to numbered sections are omitted in Kroeger's translation and they are inserted here from J. G. Fichte, *Werke*, hrsg. von F. Medicus, Leipzig, 1908, vol. ii
Philosophy of Law	= *Kant's Philosophy of Law* (the *Science of Right* in vol. 42 of this set, pp. 395–458), translated by W. Hastie
Kant's Theory of Ethics	= *Kant's Theory of Ethics*, translated by T. K. Abbott, 6th edn., London, 1923

In quoting from translations of Hegel the translator in his Notes has made modifications here and there in order to bring the terminology into accordance with that used here.

PREFACE

The immediate ind c ment to publ h this man ml is th need *for* putting into the hands of my audience a text-book fo the lectures on the Phi losophy f Right which I d li e in the course f my profes nal duties. This compendium is — ematı ex

s phical Sciences (Heidelberg

Bu this manual wa to ppear in print and theref re t ow comes before th general pub lic a d this was my indu ement to amplify here good many f the Rema k which were pri marily meant in a bri f compass to indicate ideas abo t my rgument o t varia ce with it, fur ther inferences f om t and the lik e material wh h would rece e ts equisite lucidat on in m lectures Th bject f ampl fying them here m re ab tract

and epted, ju t the f rm in wh h it is rranged ha ts rules and artifi es which ha long been settled. *Ph l ph* al manuals are per haps t w xpect d t nf rm t such a pat t rn f t is supposed that what phil sophy puts together is w k as ephem ral as Pen lope s w b which must be begun af esh ev ry morning

I eed hardly say that the hi f diff re c be tw en this manual and an dinary mpendium lies in th m thod which constit tes their guid

Where Hegel ha cited in the *Philo ph f R ght* paragra hs f the firs edi the transl has p pended squ re bra k ts ref rences the corre po d ing passages f the third edi n.

ing principle But in this book I am presuppos ing that philosophy s mode of progression from one top c to another and its mode of sc entific proof—this whole peculative way of knowing om s other way of

I

t on and llog ı ı ... I di curs e think g ha e become recognized as inadequate for peculat e sc nce or rather the r inadequacy has n t been recognized it ha nly been felt and then these rules ha e been thrown ff as if they wer me fetters in o de to allow the heart the imaginat n a d ca ual intuition to say what they pleased. And si ce reflection and connexions of th ught ha ft r all to come on the scene as well there is an un *con.ci us relapse into the despised method of* commonplace deduction and a gumen t on

Sinc I have fully expounded the nature of speculat e kn w g in my *Science of Logic* in this manual I ha e onl dded an xplanat ry *note he e and th re about p ocedu e a d meth*

been rega ded as superfluous wher acqua an e with philosophic l method is p esupposed f r another t will be bv us from the work it self that the whol like the formati of its parts rests on the logical p rit It is also f om this point of v ew abov all that I hould like m book t be take and judged. What we ha t d with here is philosophical *s ence* d in such science cont t is *essentially* bound up with form.

W may f course hear f om those who eem t be t king a prof und view that the f rm is s mething external and indifferent t th sub ject matt that th latter alone is important further th task of writ especially writer

Cf Ka *Cri iqu f Pur R* p 96—Ed.

on philosophy may be said to lie in the discov

charged what we find in the first place is that the same old stew is continually warmed up

preferably be regarded as the superfluous labour of a busybody— They have Moses and the Prophets let them hear them In particular we have ample opportunity to marvel at the pretentious tone recognizable in these busybodies when they talk as if the world had wanted for nothing except their energetic dissemination of truths or as if their *réchauffé* were productive of new and unheard of truths and was to be specially taken to heart before everything else to day and every day But in this situation we also find one party giving out truths of this sort only to have them dislodged and brushed aside by truths of just the same sort purveyed by other parties In this press of truths there is something neither new nor old but perennial yet how else is this to be lifted out of these reflections which oscillate from this to that with

formulation in the law of the land in the moral

It requires to be grasped in thought as well the content which is already rational in principle must win the *form* of rationality and so appear well founded to untrammelled thinking Such thinking does not remain stationary at the given whether the given be upheld by the external positive authority of the state or the *consensus hominum* or by the authority of inward feeling and emotion and by the witness of the spirit which directly concurs with it On the contrary thought which is free starts out from itself and thereupon claims to know itself as united in its innermost being with the truth

The unsophisticated heart takes the simple line of adhering with trustful conviction to what is publicly accepted as true and then building on this firm foundation its conduct and its set position in life Against this simple line of conduct there may at once be raised the alleged difficulty of how it is possible in an infinite variety of opinions to distinguish and discover what is universally recognized and valid This perplexity may at first sight be taken for a right and really serious attitude to the thing but in fact those who boast of this perplexity are in the position of not being able to see the wood for the trees the only perplexity and difficulty they are in is one of their own making Indeed this perplexity and difficulty of theirs is proof rather that they want as the substance of the right and the ethical not what is universally recognized and valid but something else If they had been serious with what is universally accepted instead of busying themselves with the vanity and particularity of opinions and things they would have clung to what is substantively right namely to the commands of the ethical order and the state and would have regulated their lives in accordance with these

A more serious difficulty arises however from the fact that man thinks and tries to find in thinking both his freedom and the basis of ethical life But however lofty however divine the right of thought may be it is perverted into wrong if it is only this [opining] which passes for thinking and if thinking knows itself to be free only when it diverges from what is *universally* recognized and valid and when it has discovered how to invent for itself some *particular* character

At the present time the idea that freedom of thought and of mind generally evinces itself only in divergence from indeed in hostility to what is publicly recognized might seem to be most firmly rooted in connexion with the state and it is chiefly for this reason that a philosophy of the state might seem essentially to have the task of discovering and promulgating still another theory and a special and original one at that In examining this idea and the activity in conformity with it we might suppose that no state or constitution had ever existed in the world at all or was even in being at the present time but that nowadays—and this nowadays lasts for ever—we had to start all over again from the beginning and that the ethical world had just been waiting for such present day projects proofs and investigations So far as nature is concerned people grant that it is nature as it is which philosophy has to bring within its ken that the philosopher s stone lies concealed somewhere somewhere within nature itself that nature is inherently rational and that what knowledge has to investigate and grasp in concepts is this actual reason present in it not the formations and accidents evident to the superficial observer but nature s eternal harmony its

harm however in the sen e of the law a d essence immanent w thin it The ethical world on the other hand, th tate (reason as it actualizes tself in th element of elf-c nsci us ness) is n t all wed to enjoy the good fortune which springs from the fact that it is rea on which has chieved power and mastery w thin that element and wh h maintain it elf and has f m dis sup-

and everyo e owadays is a e s this tone in hi grasp as his b rthright Now admittedly t is the case that th se who li e their li es n the st te as it actually xists here and n w and find satisf ction there f r their knowled nd lition (and of these th re are many m e in fa t tha think r kn w it be cau ultimat ly this the pos tion of every body) o th e at any rate wh *consciously* fi d their satisfaction in the state laugh at these operations and affirmati ns and rega d them as an empty gam sometimes rather f nny som times rath erious n w amusing ow dang r us Thus this restless ctivity of empty efl c t on together with its popularity and the wel c m t has ec ed, would be a thi g on its own, dev loping in pri acy in its wn way were t t that it is philosophy tself wh ch has rred all kinds of scorn and dis redit by its in du e in this occupation The worst of thes

t with ut d

I f ct what we ha een cent philos phi cal publi ti ns p oclaiming with the maximum f p etens on b ut the tate h really justified anybody wh ca d to busy him elf w th the b ject in this ction that he uld manuf cture ph losophy f this ki d hims lf without do and gi himself p oof f hi posses n of phi l phy Bes des this self styled phil sophy

en ugh He gi eth to his o n appl d to s ience a d hence every sleeper has numbered him elf amo g the elect but the con c pts he has acquired in sleep are them el es f course only the wa es of sleep

A ringleader of these hosts of superfic al ts of these elf-styled philosophers Herr Fries d d n t blush on the occa o of a publ c festival which has become notor o s to express the fol lowing ideas in a peech on The state and the consl tut o In the people ruled by a genuine c mmunal p rit life for the dis harge of all p blic bus ess would come f om below from the people its lf li ng assoc at ns indis lubly united by the holy cha n of friendship would be dedicated to e ery gle project of popular edu cat on and popular ervic a d so on This is the quintessenc of shallow th nking to base philosoph c science n t on the development of thought and the concept but on immediate sen e perception and th play of fa cy to take the n h inw rd art culat on of ethical life i e the state th a chitectonic of that life s rat onal ty —wh ch ets d t rminate limits to the different circles of public life and their rights u es the tnct ccuracy of measurement wh ch holds to gether e ery pillar arch and buttress and there f h wh l out of

—as in fact of cou se t s not—to the subjec ti e accide t of opinion and caprice By the s m

s

Mephistopheles a good a thority! says om

[A.] Addi ions (PP s) culled from tes taken Heg l lect res by Ed rd G ns

thing like this a quotation I have used else where already Do but despise intellect and knowledge the highest of all man s gifts and thou hast surrendered thyself to the devil and to perdition art doomed The next thing is that such sentiments assume even the guise of piety for this bustling activity has used any and every expedient in its endeavour to give itself author ity With godliness and the Bible however it has arrogated to itself the highest of justifica tions for de pising the ethical order and the ob jectivity of law since it is piety too which en velops in the simpler intuition of feeling the truth which is articulated in the world into an organic realm But if it is piety of the right sort *it sheds the form of this emotional region so* oon as it leaves the inner life enters upon the daylight of the Idea s development and revealed riches and brings with it out of its inner wor hip of God reverence for law and for an abso lute truth exalted above the subjective form of feeling

The particular form of guilty conscience re vealed by the type of eloquence in which such superficiality flaunts itself may be brou ht to your attention here and above all if you notice that when it is furthest from mind superficiality peaks most of mind when its talk is the most *tedious dead and alive stuff its favourite* words are life and vitalize and when it gives evi dence of the pure elfishness of baseless pride the word most on its lips is people But the pecial mark which it carries on its brow is the hatred of law Right and ethics and the actual world of justice and ethical life are understood through thoughts through thoughts they are in vested with a rational form i e with universality and determinacy This form is law and this it i which the feeling that tipulates for its own whim the con cience that places right in subjec tive conviction has reason to regard as its chief foe *The formal character of the right as a duty* and a law it feel as the letter cold and dead as a shackle for it does not recognize itself in the law and so does not recognize itself as free there because law is the reason of the thing and rea on refu es to allow feelin to warm itself at its own private hearth Hence law as I have re marked somewhere in the cour e of this text book is *par excellence* the shibboleth which marks out the c fal e friend *and comrades of* what they call the people

At the pre ent time the pettifoggery of ca price has u urped the name of philo ophy and succeeded in giving a wide public the opinion that such triflings are philosophy The result of *this is that it has now become almost a d sgrace* to go on peaking in philosophical terms about the nature of the state and law abiding men cannot be blamed if they become impatient so soon as they hear mention of a philosophical science of the state Still less is it a matter for surprise that governments have at last directed their attention to this kind of philosophy since apart from anything else philosophy with us is not as it was with the Greeks for instance pur sued in private like an art but has an existence in the open in contact with the public and espe cially or even only in the service of the tate *Governments have proved their trust in their* scholars who have made philosophy their chosen field by leaving entirely to them the construc tion and contents of philosophy—though here and there if you like it may not have been o much confidence that has been shown as ind ffer ence to learning itself and professorial chairs of philosophy have been retained only as a tradi tion (in France for instance to the best of my knowledge chairs of metaphysics at lea t have been allowed to lapse) Their confidence how ever has very often been ill repaid or alterna tively if you preferred to see indifference you *would have to regard the result the decay of* thorough knowledge as the penalty of this in difference Prima facie superficiality seems to be extremely accommodating one might say at least in relation to public peace and order be cause it fails to touch or even to guess at the substance of the things no action or at least no police action would thus have been taken against it in the first instance had it not been that there still existed in the state a need for a deeper education and insight a need which the state required philosophical science to satisfy On the other hand superficial thinking about the ethical order about right and duty in general starts automatically from the maxims whicl constitute superficiality in this sphere i e from the principles of the Sophists which are so clear ly outlined for our information in Plato What is right these principles locate in subjective aims and opinions in subjective feeling and par ticular conviction and from them there follows the ruin of the inner ethical life and a good *conscience* of love and right dealing between private persons no less than the ruin of pul lic order and the law of the land. The significance

Cf Goethe *F* *i I* 3 3 337 8 —E
I the foot ote t l ag ph 58.—Lp

See P g ph 23 49 —F
Cf Pl *P i i* d *R p bl* 493 ff whe th soph t i co tra t d w h the tru ph losoph —E

hen mens must acquire for gov

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wholl in earnest.

In the fresh importance which circumstances
—— tts h to the character

dern ng the r justificati n from the superficial ity to wh ch that study has been degraded and on the other of be ng them elves rooted in th s element agai st which they turn so ungratefully For by pron uncing the knowledge of truth a cha e th s elf styled philosophizi g

men and sla es virtue and vi e 1 ol honour learning and ignorance. The result of this le elli g p ocess s that the concepts of what is true the laws of ethics l'kew se become noth ing more tha op n ons and subjecti e co ic tions The maxims of the worst of crim nal since they too are con ict ons are put on the same level of v lue as those laws and at the same t me any object however sorry however acc dental a y material howe er ins p d is put on the same level of al e as what const tutes the intere t of all thinking men and the bond of the ethical world.

f t be taken as a p ece of *luck*

th m they treat t s s mething o e u e with. More than th they xp s ly rail against t and p un e ts o te t namely the specu lati e kn wledg of G d n ture and mind the kno ledg f truth t b a fooli h and even sin f l presumptu usness wh'le reason and again reaso and r s pe ted *ad finit m s* ra gned, disparaged, and co demned. At the ry l ast su h writings eveal to us that t a maj rity f th e ngaged in ct ti s supposedly sc en tific the cl ims f th co cept are an mbarrass me t whi h o th less they cannot escape I enture t say that anyo with u h phenom na bef him may ry w ll begin t think that if they al cons de d tradition is n w neith er worthy f espect no uffi nt to s cu for the tudy f phil s phy e the t le anc or ex t en as publi inst tution Th rrogant dec lamations current in ur t m ga nst philo phy p sent th singul r specta le on the o hand of

I came cross mil view let er [ ] h. M ll (H erk P rt p 57) I talk g f th tat f R me in 8 he th y w und Fre ch rol h says Ask d ho th publ d ca nal

the rational, it s f r that ery rea n the ppre h ns o of the p esent and the actual n t th e ect n of bey nd supposed to exist God kn ws whe e rathe which exists and we can perfectly well say wh e namely n the error of a e ded empty rat oc nation. In the c urse of this book I ha rema ked that e en Plato s *Republ c* whi h passes pro e b ally as an empty ideal is in ess ce othing but a interp etatio of the n ture of G eek ethical lif Pl to was cons us that th was b e king nto that lif in his wn tim a deeper princ ple which c ld ppear in t di ctly o ly as a l nging still un ti fi d, a d so only as something corruptive T c mb t t h needs must ha e sought aid f m that ery l gi g itself B t this aid had to c m f m n H gh nd ll that Plat could do was to k t in the fi t pla e in part ula ex t rnal f rm f that sam G k ethical life By

In th R m k P ragraph 85—E

that means he thought to ma ter this corruptive invader and thereby he did fatal injury to the deeper impul e which underlay it namely free infinite personality Still his genius is proved by the fact that the principle on which the distinctive character of his Idea of the state turns is precisely the pivot on which the impending world revolution turned at that time

What is rational is actual and what is actual is rational On this conviction the plain man like the philosopher takes his stand and from it philosophy starts in its study of the universe of mind as well as the universe of nature If reflection feeling or whatever form subjective consciousness may take looks upon the present as something vacuous and looks beyond it with the eyes of superior wisdom it finds itself in a vacuum and because it is actual only in the present it is itself mere vacuity If on the other hand the Idea passes for only an Idea for something represented in an opinion philosophy rejects such a view and shows that nothing is actual except the Idea Once that is granted the great thing is to apprehend in the show of the temporal and transient the sub tance which is immanent and the eternal which is present For *since rationality (which is synonymous with the* Idea) enters upon external existence simultaneously with its actualization it emerges with an infinite wealth of forms shapes and appearances Around its heart it throws a motley covering with which consciousness is at home to begin with a covering which the concept has first to penetrate before it can find the inward pulse and feel it still beating in the outward appearances But the infinite variety of circumstance which is developed in this externality by the light of the essence glinting in it—this endle s material and its organization—this is not the subject matter of philosophy To touch this at all would be to meddle with things to which philosophy is unsuited on such topics it may save itself the trouble of giving good advice Plato might have omitted his recommendation to nurses to keep on the move with infants and to rock them continually in their arms And Fichte too need not have carried what has been called the construction of his passport regulations to such a pitch of perfection as to require suspects not merely to sign their passports but to have their likenesses painted on them Along such tracks all trace of philosophy is lo t and such super erudition it can the more readily disclaim since its attitude to this infinite multitude of topics should of course be most liberal In adopting this attitude philosophic science shows itself to be poles apart from the hatred with which the folly of superior wisdom regards a vast number of affairs and institutions a hatred in which pettiness takes the greatest delight because only by venting it does it attain a feeling of its self hood

This book then containing as it does the science of the state is to be nothing other than the endeavour to apprehend and portray the state as something inherently rational As a work of philosophy it must be poles apart from an attempt to construct a state as it ought to be The instruction which it may contain cannot con ist in teaching the state what it ought to be it can only show how the state the ethical universe is to be understood.

Ιλ δ Ρδ\ Π δ ι δ πήδημα
H c Rhodu *hic* saltus

To comprehend what is this is the task of philosophy because what is is reason Whatever happens *every individual is a child of his time* so philosophy too is its own time apprehended in thoughts It is just as absurd to fancy that a philosophy can transcend its contemporary world as it is to fancy that an individual can overleap his own age jump over Rhodes If his theory really goes beyond the world as it is and builds an ideal one as it ought to be that world exists indeed but only in his opinions an unsubstantial element where anything you plea e may in fancy be built

With hardly an alteration the proverb just quoted would run

Here is the ro e dance thou here

What lies between reason as elf conscious mind and reason as an actual world before our eyes what separates the former from the latter and prevents it from finding satisfaction in the latter is the fetter of some abstraction or other which has not been liberated [and so transformed] into the concept To recognize rea on as the rose in the cross of the present and thereby to enjoy the pre ent this is the rational insight which reconciles us to the actual the rec

See th R m k t P g ph 14 See P g phs 185 a d 6 F ee i fi t pe so l ty —See I graph 5 1 d 35 —F
ee th A ld t to I ragraph 7 d the los g pages f th *I h l phy f H t y* —E
Cf Pl t *Law* i 789 —E

what is substantive while still retaining subj c
Cf B c \ m O t m l 84 —E

-- -f re

rath r abstractly as the ui y
tent for f rm in it m st concrete sign f cation
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p ehend in th con ept in o d to i e and
so to find t lf in the w rld as t xists to-day
The saying has becom fam us that a half
ph sophy le d w y fr m G d —and it is
th same half philo phy th t l cates kn wl dge
in app oxim t to truth — while true
philosophy leads to God d the same true
f ph lo phy and the t t Just s r ason is
t co tent w th n appr mat o wh h as
somethi g ne the c ld no hot it will pue
t f its mo th t is j t a little co
tent th th c ld de pa wh ch bm ts to
the ew th t in thi e rthly l f thi gs are
truly bad t be t o ly t ler ble tho gh here

they can ot be improved and that this is the only reflection which can keep us at pe ce w th the world There is less ch ll in the peace with the world wh ch kn wledge uppl es

O e word more abo t g i g i truction as to what the world ught to be Ph losophy i a y case always comes on the scene too late to gi e it. As the thought of the wo ld it appears only wh n actuality is already there cut and dr ed after its p ocess of formati n has been com nl d The tea hing of the c ncept wh ch is

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By phil sophy s grey in g y t c juvenated but only underst od. The owl of M nerva preads its wings only with the fall g of the dusk.

B t it is time to close this preface After all as a prefac its only b siness has been to m ke s me e ternal and s bjecti e remarks about the

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othe th n a sc ent f c discus on l the t t g itself they can count o ly as a pe son l ep logue and as caprici us as e t o and be must treat them w th ndiffe ence

Berlin *June 25th* 1820.

See p —E
See Rem k F ra ph y —E
Cf K C t q f P R p 94—E

Cf Goeth F t P rt I ll 39-4 —Ed.

INTRODUCTION

[Corcept of the Philosophy of Right of the W ill Freedom and Right]

Th s bject matt r of the phil sophical sci e ce of right is the Ide of right e the concept f right t gether with the actualizati n of that c ept.

bee gi mui d fi t in jur civilis peri l I f ct th m re disc ected d inh tly tradi t ry th pro si gi ing d term nat ch ract t right th less e a y defin t ns i its field possibl f r d finit sh ld be tated in ni rsal t rms wh l t use these mmediat l expose in all ts naked ess what tradicts them—th w g in this instan Thus in R man l w f ex ampl th re co d be d finit f ma sin sla e co ld n t be bro ght de it—th ery st t f la e indeed is an tra th cepti f m t w uld ppe just as h zard to at tempt d finiti f "property d propri t in ma y cases) B t th ded cti f th d finiti is d ri ed, it may be from tym log especially by bstracti from particula cases so th t it is based b ma feelings d deas. Th correctness f th definiti is then m d t h its correspo d

Idea in distincti f m th firs from ts mod f bein as pt al [A.]

Th scien e of right is s ction of philoso- ph C seque tly t task t develop the Idea—th Idea being the rati nal f ct in any

cept.

Th truth is that in phil soph cal k wled the pt is th principal thing d th

th truth f hat ha p ed d and it ha p ec ded whi h o tit tes the so-called "proof" f the tarting-point Hen the on ept f right o f ts min to be is n rmed falls ts d th scien of right t is t be taken up her as gi en and ts deduction is p esup- po ed.

Acc ding t th bstr ct, philosoph cal m th- od f th sci ces, th first thing so ght d d manded is definitio t any rat this deman mad f th sak f preserving th ext rnal f rm of sci tifi p oced (B t th scie ce f positi law t least cann t be ry intimat ly co cerned with d fini ns since t begins in th first place by stating wh t is legal what th particula legal pro isi ns ar d f this reaso th warning has

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kn ing with ts f rmal definiti ns, syllogism f th

See P ragr h —E
See Paragra hs and 4 —Ed.

In il law definitio is always h zardous —E

consciousness —
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spirations of o
the handiest of all but it is also the most unphilo
h l— —

guid g principle the subjectivity contingency and
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3 Right is positive in general (*a*) when it has the *form* of being valid in a particular state and this legal authority is the guiding principle for the knowledge of right in this positive form i e for the science of positive law (*b*) Right in this positive form acquires a positive element in its *content*

(α) through the particular national character of a people its stage of historical development and the whole complex of relations connected with the necessities of nature

(β) because a system of positive law must necessarily involve the application of the universal concept to particular externally given characteristics of objects and cases This application lies outside peculative thought and the development of the concept and is the subsumption by the Understanding [of the particular under the universal]

(γ) through the finally detailed provisions requisite for actually pronouncing judgement in court

If incl nation caprice and the sentiments of the hea t are set up in oppos tion to p sitive r ght and the la s philosophy at least ca not recognize au thorities of that sort —That forc and ty ra y m y be an lement in law is accide tal to law and h s noth ng to d w th ts natur Later on in this b ok in Paragraph 11 14 it w ll be sho vn at wh t point right must become posit e The deta ls to be ex pounded there ar be ng ment ed he e only to in d cate the lim ts of the ph losophical study of law and to ob iate at once y pos ble suppo tion let lone demand that the outcom of its system t c development should be a code f positi e law i e a code l ke the one an actual st te requ es

Natu al l w or law from the ph los phical poi t of v ew is distinct f m p s ti e law but to pervert their difference into an oppos tion and a contradic tion would be a gross mi understanding The rela tion between them is much more l ke that betwe n Institutes and Pandects

As for the historical element in positive law men tioned above in Paragraph 3 Montesquieu pro cla med the true historical v ew the genu nely philo sophical po ition namely that legi lation both in general and in its part cular provisions i to be f —

up the character of a nation and an epoch It is i being so connected that the various laws acquire their t ue meaning and the e ith their just fication To consider part cular la s as they appear and develop i time is a purely historical task Like ac quaintance with what can be logically deduced from a comparison of these laws with p eviously ex st n legal principles this task is appreciated and re warded in its own sphere and has no relation what ever to the philosophical study of the ubject—un less of course the derivation of particular laws f om historical events is confused with their derivation from the conc pt and the hi torical explanation and justification is stretched to become an absolutely val d justificat on This d fference which is very im portant and should be f rmly adhered to is also very obvious A particular law may be shown to be wholly grounded in and consiste t with the circum stances and with exist ng legally established institu tions and yet it may be wrong and irrational in its essential cha acter like a number of provisi ns in Roman priv te law which followed quite log cally from s ch institut o s as Rom n matrimony and Roman *pat potestas* But even if particular l ws *are* both ri ht and reasonable still it is one thin to *p o* that they have that char cter—which can not be truly done except by means of the concept— and quite another to describe their app arance in history or the circumstances contingencies, needs and events which brought about the r en ctment. That kind of exposition and (pragmatic) knowl edge based on prox m te or remote historical causes is freque tly called explanation or preferably comp ehension by those who th nk that to ex pound history in this way is the only th n or rath er the essent l thing the only important thin to be don in o der to comprehe d law r a estab l shed institut o whe e s h t is really es e tial the concept of the thing they h e not discussed at all From the sam po t f iew refer ce is com monly made also to the Roman or the German con cepts of law i e co cepts of law as th y m ght be d fined in this or that leg l code whereas what is meant is not concepts but ly g eral leg l pri ci ple proposit ons of the U d rstandi g maxims positi e laws a d the l ke

Ly di t of ob curin the d ff rence betw n the

tory th *Phl phy f H t y* pp 9 ff —E
See Rem ks t P g aphs 69 2 4 —Ed

Cf M t sq *Th Sp t f Law* Book I Chap 3 —F
Se Rem k a d Add i t P r g ph 80 —E

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Th is kn wing h wev wh t H rr H g

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j rist Se tus Caecili in A l G lli is primarily
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F so f H l icism f S vigny see P ra
graph —E
Gusta Ri te on H go *Text-b k f the H tory f R ma Law*—E
5th edn., § 53
A ae xx.

means when he says that Favorinus did not understand the law Any schoolboy is perfectly capable of understand ng it and Shylock would have unde stood better than anyone else the clause cited above which vould have been o advantageous to him By understand Herr Hugo must have meant only that level of understand ng which in the case of such a law is content if it can find a good rea on for it

Still another misunderstanding of which Favorinus was convicted by Caecilius in the same context is one to which a philosopher may surely confess without exactly blushing I mean the failure to understand that *jumentum* (which as d stinct from *o c ra* is according to the law the only conveyance to be provided for a sick man who has to appear in court) is to be interpreted to mean not only a horse but also a carriage or wagon From this legal proviso Caecilius was able to derive a further proof of the excellence and precis on f

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one covered in and uphol ste ed according to Caecilius interpretation and one not so comfortable H re we vould have the choice between the severity of the original law and the trivial ty of such d stinctions but to describe such things and still more the r learned interpretation as trivial vould be one of the vorst of insults to erudition of this kind and others!

But in the same *Lehrbucl* Herr Huc

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Rome) y was is and were compelled to work and hence needed the assistance of draught and pack animals such as we are familiar with ourselves that in Roman territory hills and vall ys al tern ted and that the city was built on a hill and so forth—disquisitions which w

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ghest demands of reason That is quite right Roman law in resp ct of the family slavery &c fails even to satisfy reason s most modest d mands But in deal ng with lat r per ods of Roman history Herr Hugo forgets to tell us whether in any of them and if so in wh ch Roman law did satisfy the highest demands of reason However of the class cal jurists in the

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that no class of writers is so well en

§§ 38–9 [*p c t* i 7th edn.]

§ 40 [*ibid* In 7th ed]

§ 89 [§ 314 in 7th edn.]

titled as these same Roman ju

c e ping their concepts—a contention supported by the curious fact that no where are there to be found so many trichotomies as there are in the classical ji

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is

p e naties and any other science of the Understanding but this deductive method of the Understand ng has nothing whatever to do with the sat sfaction of the demands of reason or with philosophical science But apart from that it is the illogical ty of the Roman jurists and praetors that must be regarded as one of their chief vi tues for by dint of being illogical

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e to call *bo orum possesm* what was nevertheless *he ed tas*) and downright foolish subterfuges (and folly also is illogical ty) in ord r to preserve the letter of the Twelve Tables (e g by the *fict o* *πό ρ α* that a *filia* was a *fil us*) It is ludicrous though to see the classical jurists compar d with Kant because of a few trichotomous d vis ons especially those cited as examples in the fifth note to Herr Hugo s parag aph and to see that kind of thi g called d velopment of concepts

4 The basis of right is in general mind its precise place and point of origin is the will The will is free so that freedom is both the substance of right and its goal while the system of right is the realm of freedom made actual the world of mind brought forth out of itself like a econd nature

In considering the freedom of the will we may recall the old m th d

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f ce s racted in the manner of the old empirical psychology fr m the vari us feelings and phenomena of the ord nary consc ou ness such as remors gu lt and the l ke by ma taini g that they were to be e plai ed nly in the light of a w ll th t was free But it is more conveni nt of course t a rive at the same po nt by taking the short cut of s p pos ng that freedom is giv n as a f ct of consc ous ness and that we must simply *bel ev* in it!

The pr of that the will i f e d th

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C ll d y the sly' (see R m k t P g ph S) —*F o*

J G H necci *A l quit t m R m m prud tiam* l t m *Syntam* (B sel 75) l b l tit ii § 4

t start with is int lli ence that th phases thro gh hich t passes in ts devel pment from feelin through representative thinking t thinking proper are t oad al which t prod es tself as will and that will as practical mind in gen ral is th tr th f int lh ce th tag xt bo e t These premisses I have expounded in my *E y l paedia f the PhIo ph al Scien* and I h pe by d by t be ble t laborat th m still f rth Th re is all t more eed f m by so d ing t make my co tributio t what I h pe is th deeper kn wledge f th nature f mind in that, as I have said th *E cyclopaedia* scarcely any phil sophical science is so eglected and so ill ff as th theory f mind usually called "psych l gy Th m m ts in th co cept f th will which are dealt with in this and the f ll w ing Paragrap s f th Introd cti result f m th premisses to which I h just ref rred, but in ddi tion any ne may find h lp t wards f rming idea f them by callin his wn self-consciousness. I th first place any ne can disco e in himself bility t bstract from everythin what er and in th sam way t determine himself t po t y co tent in himself b his wn ff rt and similarly th th speci c charact ri tics f th will are exempli fied f him in his wn consci usness [A.]

5 The will contains ( ) the element of pure eflect on of the ego that pur

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absolut b tracti uni ersality th pur th u ht of o elf

Those wh regard thinking as special f culty distinct from th will as an ther special f culty and wh even proceed t tend th t thinkin is p dicial t th will especially th good will, re eal t en ra ce of the na

th fanaticism f destruction—th destructio of th wh le bsisting social rd —as the liminati f i di duals wh are bjects f suspicion t any social rder d th anihilati f rganizati n which tries t rise anew from th ruins. Only in destro ing som thin does this egati e will possess th feelin f tself as exi t t. Of co rse t imagines m positi e state f affairs such h t

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an thing in itself but an bstract idea d gi n ffect t this dea can nly be the f ry f destructi n. [A.]

6 (β) At the same time the ego s also the tra ition from undifferen iated indeterminacy to the differentiat on, determination and pos t in f a determinacy as a content a d object Now further this conte t may ther be gi en by n ture or engend red by the concept of m nd Thr u h this pos ting of itself as something d t rminat the eg teps in principle into deter minate exi t nce This is the absolute moment the finitude or particularizat on of the ego

This seco d m ment—det rmin ti n—is egati ity and cancelati lik th first, i.e. it cancels the b tract egativity f th first. Since t is th general rule that th particula is co tained in th uni ersal, t f ll ws that this seco d m m t is alre dy co tained in th first and is simpl an explicit positing f what th first already was implicitly Th first m m t I mean—because by tself t is ly th first —is t tru infinity co cret universality not th concept, but onl something determinat ne ded i.e., being b traction from all d t rminacy it t with t d terminacy and t be som

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theref re th restricti n—th negati as an ctivity wh th as gi en xt rnal barrie as an ctivity f th eg tself—appears (in th sec d propositi as an dditi m rely

T pprehe d th egativity imma ent in th uni ersal self d tical, g in th e wa th

H delberg. § §§ 363–9 [3rd edn. §§ o–8] [edn.] Rema k to § 36 [3 d edn. § and cf § 8]

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Rome) 'men had many wants and were compelled to work and he ce ne ded the assistance of draught a d pack an mals such as we are familiar with our selves that in Roman territory hills and vall ys al tern ted and th t the city was built on a h ll and so

the fam ly slavery &c fails even to satisfy reason s most modest demands But in deali g with later

son However of the class cal jurists in the period

thanks to the numerous edit ons of Herr Hug s *Leh buch*) that no class of writers is so well en

titled as these same Roman juri ts to be compare l with *math m t c ans in respect of the rigorous log c* of their deducti e rea oni g or with the new founder of metaphysics in respect of their quite strikin l distinctive method of developing their concepts—a contention supported by the curious fact that no where are there to be found so many trichotomies as there are in the classical jurists and in Kant Logical deduction a method commended by Leibniz is certainly an essential characteristic of the study of positive law as of mathematics and any other science of the Understanding but this deductive method of the Understanding has noth ng whatever to do with the sat sfaction of the demands of reason or with philosoph cal science But apart from that it is the *illogicality* of the Roman jurists and prae tors that must be regarded as one of their chief vir tues for by dint of bei g illogical they evaded un *just and detestable laws though in the process they* found themselves compelled *call de* to devise empty verbal distinctions (e g to call *bonorum possessi* what was nevertheless *hered tas*) a d downright foolish subterfuges (and folly also is illogicality) in order to preserve the letter of the Twelve Tables (e g by the *fict o* that a *filia* was a *fili us*) It is ludicrous though to see the classical juri ts compared with Kant because of a few trichotomous divisions especially th se cited as examples in the fifth note to Herr Hu o s paragraph and to see that kind of thing called development of concepts

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f eedom wa xtracted in th manner of the old em pirical psychology from the various feelings and phenomena of the o d nary consc ousness such as *remorse gu lt a d the l ke by maintaining that they* were to be e plained only in the light f a will that was free But it is mo e conve i nt of course to ar rive at the s me po nt by taking the short cut of sup posing that freedom is give as a f ct of consci us

fundamental premises of this proof a e that mi l

§§ 38–9 [*op c t* i 7th edn.]
§ 4 [*ibid* i 7th ed]
§ 289 [§ 314 in 7th edn]

C ll de— tf lly the ly' (see R m k t
F g ph 8]—E
J G H ec i *A tiquit t m Rom m j i prud t m ll t a t m Sy t ma* [B sel 175] lib I tit ll § 24

Th gulf prese t in th ph re f the finit between "in tself ess and f tself ess constit tes at th sam tim th t pher m ist ;ial o ph m ral ch racter (Examples f this—th t ral will d then f rmal rights &c.—will be f rthcomin d rctl)

h th p re

will and it is only in so far as it resol es that the w ll is an actual will at all

T re l som thing is t n i th state I wh h co tent is prim f cie al n ex press n *sich en* f ct t th d termin t ch ra t r of th will itself as riginal seed

f th t ise

13 By resol n the will pos ts itself as the w ll of a specific ind vidual a d as a will eparat i g itself off against another i d vidual. But th f m this finitude as consciousness (see

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I far as int lligence th ks its bject t t remains som thing sal whil its wn be h r nsists f un versal cti ty I th w ll th ersal lso means in esse mi inds d lity d in th immedi t will—th will which is will in f rm ly—it means b tract ind d ality i di d ality t y t filled with its free ni ersality H ce t is in th will that th intrinsi finit d f t llig has ts begi ni g d t is f by is d end w g

Empi tal ps ch l gy d tails d describes these im ulses d inclinati ns, d th eeds arising f m

mt ti ial d. I far thinking and willing till disti guished th pposit is rath th truth d will is thinking rea re l ing tself t finit d [A.]

[A.]

2 Th h le of this cont t as we light upon

4 The fin te will as in respect of its form tho gh nly its form the self r flect g i de p dent nd infinite ego (s Paragraph 5) tands er ts c tent e it vari u mpulses and lso o er the f rth r sepa te w ys i wh ch these a tualiz d and satisfied. At the same d

minate it is n t t eu t t is nu p te t F om the point f ew of the eg flected into tself this c nte t s nly possible one

See P ragraphs 8 d 8—Ed
i i P ragra hs d 5 w th the Rem k there —E

See P ragraph —E
See Part III—E

next step which speculative philosophy had to take —a step of whose necessity they have no inkling who hold to the dualism of infinite and finite and do not even grasp it in that immanence and abstraction in which Fichte did [A]

7 (γ) The will is the unity of both these moments It is particularity reflected into itself and so brought back to universality i e it is individuality It is the *self* determination of the ego which means that at one and the same time the ego posits itself as its own negative i e as restricted and determinate and yet remains by itself i e in its self identity and universality It determines itself and yet at the same time binds itself together with itself The ego determines itself in so far as it is the relating of negativity to itself As this self relation it is indifferent to this determinacy it knows it as something which is its own something which is only ideal a mere possibility by which it is not constrained and in which it is confined only because it has put itself in it —This is the freedom of the will and it constitutes the concept or substantiality of the will its weight so to speak just as weight constitutes the substantiality of a body

Every self consciousness knows itself (i) as universal as the potentiality of abstracting from everything determinate and (ii) as particular with a determinate object content and aim Still both these moments are only abstractions what is concrete and true (and everything true is concrete) is the universality which has the particular as its opposite but the particular which by its reflection into itself has been equalized with the universal This unity is individuality not individuality in its immediacy as a unit our first idea of individuality but individuality in accordance with its concept indeed individuality in this sense is just precisely the concept itself The first two moments—(i) that the will can abstract from everything and (ii) that it is also determined in some specific way either by itself or by something else—are readily admitted and grasped because taken independently they are false and moments of the Understanding But the third moment which is true and speculative (and everything true must be thought speculatively if it is to be comprehended) is the one into which the Understanding

plete and universal prior to its determining itself and prior to its superseding and idealizing this determination The will is not a will until it is this self mediating activity this return into itself [A]

8 The more detailed process of particularization (see Paragraph 6) constitutes the difference between the forms of the will (*a*) If the will s determinate character lies in the abstract opposition of its subjectivity to the objectivity of external immediate existence then this is the formal will of mere self consciousness which finds an external world confronting it As individuality returning in its determinacy into itself it is the process of translating the subjective purpose into objectivity through the use of its own activity and some external means Once mind has developed its potentialities to actuality (*wie er an und fur sich ist*) its determinate character is true and simply its own At that stage the relation of consciousness constitutes only the *appearance* of the will an aspect which is not separately considered any further here [A]

9 (*b*) In so far as the specific determinations of the will are its own or in general its particularization reflected into itself they are its content This content as content of the will is in accordance with the form of will described in (*a*) its purpose either its inward or subjective purpose when the will merely images its object or else its purpose actualized and achieved by means of its activity of translating its subjective purpose into objectivity

10 This content or the will s determination on something specific is in the first place immediate Consequently the will is then free only *in* itself or *for* an external observer or to speak generally it is the will in its concept It is not *until it has itself as its object that the will is for itself* what it is in itself

Finitude consists therefore in this, that what something is *in* itself or in accordance with its concept is one phenomenon or exists in one way while what it is *for* itself is a different phenomenon or exists in another way so for example *in* itself the abstract reciprocal externality characteristic of nature is space but *for* itself it is time In this connexion two things are to be noticed (i) The true is the Idea and the Idea alone and hence if you take an object or a category only as it is in itself or in its concept you have not yet grasped it in its truth (ii) A thing which is in itself or as concept is also existent in some way and its existence in such a way is a shape proper to the thing itself (as space is in the example just given)

Enc [1st edn] § 363 [3 d ed § 440]
With thi P x ph mpa th ref ences t it in P rag ph 5 8 8 d 09 —F
See Additi t P ragr ph 42 —E

E c [1 t e] §§ 112– 4 [3 d ed §§ 163–5]

dignity of philosophical dress is desired, then, according to what, as was remarked before, has passed in recent times, and still passes, for philosophy this dress may be had cheap by the simple device of saying that man discovers within himself as a fact of his consciousness that right, property, the state, &c., are objects of his volition. Later in the text this same subject-matter which appears here in the shape of impulses will come on the scene in another form, i.e. in the shape of duties.

20. When reflection is brought to bear on impulses, they are imaged, estimated, compared with one another, with their means of satisfaction and their consequences, &c., and with a sum of satisfaction (i.e. with happiness). In this way reflection invests this material with abstract universality and in this external manner purifies it from its crudity and barbarity. This growth of the universality of thought is the absolute value in education (compare Paragraph 187). [A.]

21. The truth, however, of this abstract universality, which is indeterminate in itself and finds its determinacy in the material mentioned in Paragraph 20, is self-determining universality, the will, freedom. In having universality, or itself qua infinite form, for its content ...

(i) When the will's self-consciousness takes the form of desire and impulse, this consciousness is sense-consciousness, just as sensation in general denotes externality and therefore the condition in which self-consciousness is self-external. (ii) When the will is reflective, it contains two elements—this sense-consciousness and the universality of thought. (iii) When the will's potentialities have become fully explicit, then it has for its object the will itself as such, and so the will in its sheer universality—a universality which is what it is simply because it has absorbed in itself the immediacy of instinctive desire and the particularity which is produced by reflection and with which such desire *eo ipso* becomes imbued. But this process of absorption in, or elevation to, universality is what is called the activity of thought. The self-consciousness which purifies its object, content, and aim, and raises them to this universality effects this as thinking getting its own way in the will. Here is the point at which it becomes clear that it is only as thinking intelligence that the will is genuinely a will and free. The slave does not know his essence, his infinity, his freedom; he does not know himself as human in essence; and he lacks this knowledge of himself because he does not think

himself. This self-consciousness which apprehends itself through thinking as essentially human, and thereby frees itself from the contingent and the false, is the principle of right, of morality, and all ethical life. Philosophic utterances about right, morality, and ethical life from those who would banish thought and have recourse instead to feeling, enthusiasm, the heart and the breast, are expressive of the utter contempt into which thought and philosophic science have fallen, because what this amounts to is that even philosophic science itself plunged in self-despair and extreme exhaustion is taking as its principle barbarity and absence of thought, and would do its best to rob mankind of all truth, worth, and dignity. [A.]

22. It is the will whose potentialities have become fully explicit which is truly infinite, because its object is itself and so is not in its eyes ... other or a barrier; on the contrary, in ... inward ... ntial ... e in ... e the ... nality

Thus, if anyone speaks simply of the free will as such, without specifically referring to the will which is free absolutely, he is speaking only of the capacity of freedom, or of the natural and finite will (see Paragraph ...), and not by any means therefore of the free will, despite his intention and the words he uses.

Since the Understanding takes the infinite only as something negative and so as something 'beyond', it supposes that it is doing all the more honour to the infinite, the more it pushes it into the distance away from itself and removes it from itself as something alien. In the free will, the truly infinite becomes actual and present; the free will itself is this Idea whose nature it is to be present here and now. [A.]

23. Only in freedom of this kind is the will by itself without qualification, because then it is related to nothing except itself and so is released from every tie of dependence on anything else. The will is then true, or rather truth itself, because its self-determination consists in a correspondence between what it is in its existence (i.e. what it is as objective to itself) and its concept; or in other words the pure concept of the will has the intuition of itself for its goal and its reality.

24. The will is then universal, because all restriction and all particular individuality have been absorbed within it. These lie only in the difference between the concept and its content or object, or to put it otherwise in the differ

4. Remarks to Paragraphs ... and 4.—Ed.
See Paragraphs 5 ff. and especially Remark to Paragraph 5.—Ed.
See Paragraphs 3 and 5.—Ed.
See Paragraph ...—Ed.

i e it may be mine or it may not and the ego similarly is the possibility of determining myself to this or to something else of *choosing* between these specific determinations which at this point I regard as external to me

15 At this stage the freedom of the will is arbitrariness (*Willkur*) and this involves two factors (*a*) free reflection abstracting from everything and (*b*) dependence on a content and material given either from within or from without Because this content implicitly necessary as purpose is at the same time qualified in the face of free reflection as possible it follows that arbitrariness is contingency manifesting itself as will

The idea which people most commonly have of freedom is that it is arbitrariness—the mean chosen by abstract reflection between the will wholly determined by natural impulses and the will free absolutely If we hear it said that the definition of freedom is ability to do what we please such an idea can only be taken to reveal an utter immaturity of thought for it contains not even an inkling of the absolutely free will of right ethical life and so forth Reflect on the formal universality and unity of self consciousness is the will s abstract certainty of its freedom but it is not yet the truth of freedom because it has not yet got *itself* as its content and aim and consequently the subjective side is still other than the objective the content of this self determi*nation therefore also remains purely and simply* finite Instead of being the will in its truth arbitrariness is more like the will as contradiction

In the controversy carried on especially at the time of Wolff s metaphysic as to whether the will were really free or whether the conviction of its freedom were only a delusion it was arbitrariness which was in view In opposition to the certitude of this abstract self determination determinism has right*ly pointed to the content* which as something met with is not contained in that certitude and so comes to it from outside although outside it this content means impulses ideas or in general consciousness so filled in one way or another that its content is

16 What the will has decided to choose (see Paragraph 14) it can equally easily renounce (see Paragraph 5) But its ability to go beyond any other choice which it may substitute and so on *ad infinitum* never enables it to get beyond its own finitude because the content of every such choice is something other than the form of the will and therefore something finite while the opposite of determinacy namely indeterminacy i e indecision or abstraction from any content is only the other equally one sided moment of the will

See Paragraph 9 and the Remark thereto —E
See Paragraph 5 —Ed
See Remark to Paragraph —E

17 The contradiction which the arbitrary will is (see Paragraph 15) comes into appearance as a dialectic of impulses and inclinations each of them is in the way of every other—the satisfaction of one is unavoidably subordinated or sacrificed to the satisfaction of another and so on An impulse is simply a uni directional urge and thus has no measuring rod in itself and so this determination of its subordination or sacrifice is the contingent decision of the arbitrary will which in deciding may proceed either by using intelligence to calculate which impulse will give most satisfaction or else in accordance with any other optional consideration [A]

18 In connexion with the *judgement* of impulses this dialectic appears in the following form (*a*) As immanent and so positive the determinations of the immediate will are good thus man is said to be by nature good (*b*) But in so far as these determinations are natural and thus are in general opposed to freedom and the concept of mind and hence negative they must

ness [A]

19 In the demand for the *purification* of impulses there lies the general notion that they should be freed both from their form as immediate and natural determinations and also from the subjectivity and contingency of their content and so brought back to their substantial essence The truth behind this vague demand is that the impulses should become the rational system of the will s volitions To grasp them like that proceeding out of the concept of the will is the content of the philosophical science of right

The content of this science through every single one of its moments e g right property morality family state and so forth may be expounded in the form man has by nature the impulse to a right also the impulse to property and morality also the impulse of love between the sexes the impulse to sociability &c This form is to be found in empirical psychology But if in its stead the greater

See Paragraph 39 —E

s emanized whole This whole as what s substantive is independent of the opposition between a merely subjective aim a d its real zatio and is th same in both desp te th ir d f ference in form.

29. An en tent of any sort embodying the fr e will, this is wh t right i Right therefore s by definiti n f eedom as Id a.

both th Kantian and th gen

which they based.

3 It is nly bec e ri ht is the embodiment of th bsolute c pt of self-c sci us free dom that t is m thing sacrosan t. But the ex lus ly f rmal ha t f right (and d ty also a w hall ee) rises at distinct sta e

cally ri her and mor genui ly uni rsal

m ral r the th cal a d th right the ight in q es- ti is ly th l m tary f rm l ri ht of b tract perso lity M rality eth cal lif the interest f th stat ch f these is right f a pecial ch ra t specific f rm and embodi with th same w re n t s, it co ld right f cause any personality w th r has inh rent i it th co cept of ht wh t r has inh rent i it th co cept of ed m i.e. th highest category of mi d in co ast with whi h y th thing is w th t sub- h same tim colli i vol es a

hich is bsol t with t qu lib t

31 The method whereby in ph losophic c e ce the co cept develops itself out f itself is ex p nd d n l c and is here likewise presup-

arious things
tion of the uni ersal to extran ous material of that sort cull d from elsewhere.

Th cept s m ing principl which lik en d dissol es th particularizati ns f th

measure Th

t simply in p od cing th d terminati as c trary and restricti but in p od cing and seizing po th po ti e co t t and t m f th deter minati because t is this wh ch makes t solely a d el pm t and an imman t p ogress M reo this dialecti is t ti ty f bjecti think ing pplied to som matt ext rnally but is rath th matte very soul p tting f rth ts branches and Idea i

Cf Rousseau, *Th Social C* 6 —E
P ragraphs 33 ff —En

See P graph —E
Pla o— is usually the second half f the *Parmeni des* hich H gel has in mi d.—E

ence between its implicit character and its subjective awareness of itself, or between its universality and its exclusive individuality, the individuality which resolves

Th —

stract and external universality, but in connexion with absolute universality—and the universality here in question is of this character—we have to think neither of the universality of reflection, i.e. allness, or the universal as a common characteristic, nor of the abstract universality which stands outside and over against the individual, the abstract identity of the Understanding (see Remark to Paragraph 6). It is the universality concrete in character and so explicitly universal which is the substance of self-consciousness, its immanent generic essence, or its immanent Idea. This—the concept of the free will—is the universal which overlaps its object, penetrates its particular determination through and through and there remains identical with itself. The absolutely universal is definable as what is called the 'rational', and it can be apprehended only in this speculative way.

25. The subjective, in relation to the will in general, means the will's self-conscious side, its individuality (see Paragraph 7) in distinction from its implicit concept. The subjectivity of the will means therefore

(α) the pure form of the will, the absolute unity of self-consciousness with itself (a unity in which self-consciousness, as I=I, is purely and simply inward and abstractly self-dependent), the pure certainty, as distinguished from the truth, of individuality;

(β) the particular will as the arbitrary will and the contingent content of optional aims;

(γ) in general, the one-sided form of the will (see Paragraph 8) for which the thing willed, whatever its content, is but a content belonging to self-consciousness and an aim unfulfilled.

26. (α) The will is purely and simply objective in so far as it has itself for its determination and so is in correspondence with its concept and genuinely a will;

(β) but the objective will, being without the infinite form of self-consciousness, is the will absorbed in its object or condition, whatever the content of these may be; it is the will of the child, the ethical will, also the will of the slave, the superstitious man, &c.

ıı h d d f rm

the will first becomes objective to itself in this

Enc. [1st edn.] §§ 118 6 [3rd ed. §§ 69 78]

sense through the fulfilment of its aims.

These logical categories—subjectivity and objectivity—have been set forth in detail here primarily with a view to pointing out expressly in relation to them, since they are often used in the sequel, that they, like other distinctions and opposed categories of reflection, pass over into their opposites as a result of their finitude and their dialectical character. In other cases of opposition between two categories, opposed aspects are supposed to be at one and the same time abstractions and yet determinations of the *will*, which can be known only as something concrete, and they lead automatically to their identity and to the confusion of their meanings—a confusion into which the Understanding slips quite unconsciously. Thus, for example, the will as inward freedom is subjectivity itself; subjectivity therefore is the concept of the will and so its objectivity. But its subjectivity contrasted with objectivity is finitude, and yet because of this very contrast the will is not by itself but is entangled with its object, and so its finitude consists quite as much in the fact that it is not subjective—and so on. Hence the meaning to be attributed in what follows to 'subjective' or 'objective' in respect of the will must each time appear from the context which supplies the data for inferring their position in relation to the will as a whole. [A.]

27. The absolute goal, or, if you like, the absolute impulse, of free mind (see Paragraph 1) is to make its freedom its object, i.e. to make freedom objective as much in the sense that freedom shall be the rational system of mind, as in the sense that this system shall be the world of immediate actuality (see Paragraph 6). In making freedom its object, mind's purpose is to be explicitly, as Idea, what the will is implicitly. The definition of the concept of the will in abstraction from the Idea of the will is 'the free will which wills the free will'.

28. The will's activity consists in annulling the contradiction between subjectivity and objectivity and giving its aims an objective instead of a subjective character, while at the same time remaining by itself even in objectivity. Outside the formal mode of willing (i.e. consciousness, see Paragraph 8) where objectivity is present only as immediate actuality, this activity is in essence the development of the substantive content of the Idea (see Paragraph 1)—a development through which the concept determines the Idea, itself at first abstract, until it becomes a

See Paragraph 28.—Ed.

FIRST PART

ABSTRACT RIGHT

34. Th absolutely f ee will t the stage when ts o ept s abstract has the determinat char
h t ge s ts

1

35 The uni rsality of this consciously f ee will bstract uni ersality the lf-c n ci us b t otherw se o tentless a d imple relation of tself t t elf in ts ndi duality and f om this point f t w th subj t is pers n P rs nality mplie that as *th* perso ( ) I am ompl t ly determined o every s d (in my inne capric impulse and desi e as w ll as by immediate ex
( ) th less

has tself as th bstract d free eg f ts bject and aim and so is personality [A.]

36 ( ) P rsonality essentially in l es th ca pac ty for rights a d c n titutes the concept and the bas s (tself ab tract) of the system of abstract and therefore formal right. Hence the im perat e f right is Be a person and respect oth rs as persons

37 (2) The particularity of the will is a moment in the con-ciou ess of the will as a whole (see Paragraph 34) but it is not yet conta ned i bstract pers nality a such Therefore it is p esent at this point but as still sundered f om personality from the character of f eedom
and impulse casual whim

th part cula motive behind my u s ght and intent on [A.]

38 In relation to action in the concrete and t moral and ethi al ties ab tract right is in con

are estricted o c gain beca e of its ab t t ness to the egati Do not in ge pers al ity and what person lity ntails The e ult s that the e are only p ohib t ns in the phere of right and the po ti e f rm of any command in this phe e is based in the last res rt if we ex amine its ultimate c tent on proh b t on.

39 (3) As *mmed te* indi duality person in making decisions is related to wo ld of na tu directly conf ting him and thus th per sonality f the will stands er against this wo ld

4 R ght in the first plac the immedi t

See P ragr ph 5 —E
See *Phenomenol gy* (Bamberg nd W bu g 8 7) pp ff (E pp ff) and *Enc* [t dn.] §§ [rd edn. §]

See Par graphs 9 ff. and P ragraph 3 —E

bring reason to bear on the object from the outside and o to tamper with it but to find that the object is rational on its own account here it is mind in its

science is to bring into consciousness this proper work of the reason of the thing itself

32 The determinations of the concept in the course of its development are from one point of view themselves concepts but from another they take the form of existents since the con cept is in essence Idea The series of concepts which this development yields is therefore at the same time a series of shapes of experience and philosophic science must treat them accordingly

In a more speculat ve sense a concept s determ nacy and its mode of existence a e one and the same th g But it is to be noticed that the moments whose result is a further determi ed form of the concept p ecede it in the philosophical dev l pment of the Idea as determ ations of the concept but they do not go in advance of it in the tempo al development as shapes of experience Thu for i stance the Idea determined as the f m ly presupposes the determi n t ons of the concept from w h ch the fam ly will l t on in this work be shown to re ult But the ex pl c t existence of these inner p esupposit ns as shapes of experience also e g as the ri ht of prop e ty contract moral ty and so forth is the other a pect of the development and it is only in a higher and more complete civilization that the developme t h go e so far as to endow its moments with this approp ately shaped e stence [A]

Division of the Subject

33 In correspondence with the stages in the development of the Idea of the absolutely free will the will is

A immediate *its concept therefore is abstract* namely personality and its embodiment is an immediate external thing—the sphere of *Abstract* or *Formal Right*

B reflected from its external embodiment into itself—it is then characterized as subjective individuality in opposition to the universal The universal here is characterized as something in ward the good and also as something outward a world presented to the will both these sides of the Idea are here mediated only by each other This is the Idea in its division or in its existence as particular and here w e have the right of the subjective will in relation to the right of the world and the right of the Idea though only the Idea implicit—the phere of *Morality*

C the unity and truth of both these abstract moments—the Idea of the good not only apprehended in thought but so realized both in the will reflected into itself and in the external world that freedom exists as substance as actu ality and necessity no less than as subjective will this is the Idea in its absolutely universal existence—*Ethical Life*

But on the same principle the ethical substance is

(*a*) natural mind the *Family*

(*b*) in its division and appearance *Ci il Society*

(*c*) the *State* as freedom freedom universal and objective even in the free self subsi tence of the particular will This actual and organic mind (a) of a single nation (β) reveals and actualizes it self through the inter relation of the particular national minds until (γ) in the proce s of world history it reveals and actualizes itself as the uni versal world mind whose right is supreme

The fact that when a th ng or a c ntent is posited first of all in acco dance with its conc pt o as it is impl citly it then has the form of immed acy f pure be g is the doct i e of speculative log c here presuppo ed the concept hich confronts itself in the form of the concept is a different th g and no l nger someth g immediate

The princ ple hich determines the d vi ion of the subject is l kew e he e p esupposed The divisi n may also be looked upon as a predeclaration in his torical fo m of the parts of th bo k since th various stages must e gender themselves out of the subject matter it lf s mome ts in the d vel pment of the Idea A philo ophical d vision is far from be ing an extern l o e e it s n t an extern l class fi cat of a given material i ac rd nce w ith on or more borro d bases of di is on but on the con t ary is the immanent self differe tiat on of the con cept

Morality and eth cal l fe h ch perh ps usu lly pass cu re t as sy y m a e taken h e in es sent ally different e es Y t e en comm nplace th k g e ms to be disti u shing them Kant gen lly p ef rs t use the word m l ty and s nce the pri ciples of ction in his ph l phy a e lways l mited to this c c ption th y m k the standpoi t of th cal l fe complet ly imp ss ble in fact they x plicitly null fy and p n t B t ev n if moral a d eth cal me t the same thing by d rivati that w ld in no w y hi d r them once th y h d become different w rds f om b g used for d ffer ent c c ptions [A]

See P g ph 41 —F

coming through the mediation of the will, e. things with determinate characteristic which are in question here where the topic under discussion is personality itself at this point still in its most elementary immediacy

Mental tudes, erudition, artistic skill, even things ecclesiastical (like sermons, masses, prayers, consecration of votive objects) inventions, and so forth become subjects of contract, brought into parity through being bought and sold, with things recognized as things. It may be asked whether the artist, scholar, &c., is from the legal point of view in possession of his art, erudition, ability to preach a sermon, sing a mass, &c., that is, whether such attainments are "things. We may hesitate to call such abilities, attainments, aptitudes, &c., "things," for while possession of these may be the subject of business dealings and contracts, as if they were things, there is also something inward and mental about it, ... the Understanding may be in ...

need begin to speak of the transfer of such mental property into the external world where it falls under the category of property in the legal sense.

44. A person has as his substantive end the right of putting his will into any and every thing and ... because it has no such end

truth. [A]

45 To have power over a thing *ab extra* constitutes possession. The particular aspect of the matter the fact that I make something my own as a result of my natural need, impulse and caprice is the particular interest satisfied by possession. But I as free will am an object to myself in what I possess and thereby also for the first time am an actual will and this is the aspect which constitutes the category of *property* the true and right factor in possession.

If emphasis is placed on my needs, then the possession of property appears as a means to their satisfaction but the true position is that, from the standpoint of freedom, property is the first embodiment of freedom and so is in itself a substantive end.

46 Since my will, as the will of a person and as a single will, becomes objective to me in property, property acquires the character of private property ...

ternality

It was an unjustifiable and unethical proviso of Roman law that children were from their father's point of view "things." Hence he was legally the owner of his children, although he of course still also stood to them in the ethical relation of love (though this relation must have been much weakened by the injustice of his legal position). Here then, the two qualities being a thing" and "not being a thing" were united, though quite wrongly

In the sphere of abstract right, we are concerned only with the person as person, and therefore with the particular (which is indispensable if the person's freedom is to have scope and reality) only in so far as it is something separable from the person and immediately different from him, no matter whether this separability constitutes the essential nature of the particular or whether the particular receives it only through the mediation of the subjective will. Hence in this sphere we are concerned with mental aptitudes, erudition, &c., only in so far as they are possessions in the legal sense we have not to treat here the possession of our body and mind which we can achieve through education, study habit, &c., and which exists as an *inward* property of mind. But it is not until we come to deal with alienation that we

Paragraphs 65 ff —Ed.
Paragraphs 65 ff —Ed

... ence.

The nature of the elements makes it impossible for the use of them to become so particularized as to be the private possession of any

In the Roman agrarian laws there was a clash between public and private ownership of land. The latter is the more rational and therefore it had to be given preference even at the expense of other rights. One factor in family testamentary trusts contravenes the right of personality and so the right of private property But the specific characteristics pertaining to private property may have to be subordinated to higher sphere of right (e.g. to society the state)

embodiment which freedom gives itself in an immediate way i e (*a*) possession which is *property* ownership Freedom is here the free dom of the abstract will in general or *eo ipso* the freedom of a single person related only to himself (*b*) A person by distinguishing himself from himself relates himself to another person and it is only as owners that these two persons really exist for each other Their implicit iden tity is realized through the transference of prop erty from one to the other in conformity with a common will and without detriment to the rights of either This is *contract* (*c*) The will which is differentiated not in the sense of (*b*) as being contrasted with another person but in the sense of (*a*) as related to itself is as a particular will at variance with and opposed to itself as an ab solute will This opposition i wrongdoing and *crime*

The clas ification of the system of rights into *jus ad pe sonam* and *j s ad rem* on the one hand and *jus ad actiones* on the other l ke the many other s m lar classifications has as its p imary aim the impo tion of an extern l order on the mass of un organ ed material co fronting the classifier The str ki thing about this classificat on is the con fu i n n it due to the disorderly i termixture of rights wh ch presuppo e substantial ties e g those of family and political l fe and r ghts wh ch only concern bstract personality as such This co fusion is exempl fied in the classificat on of rights (ad pted by Kant and since favou ed by others) into *j s reale j s p so ale* and *j s real ter perso ale*

To develop the pe ver ity and lack of speculative thought in the cla fication of rights into *jus ad pe so am* and *jus ad rem* wh ch lies at the root of Roman law (*j s ad actiones* concerns the adminis tration of just ce and is oi a d ff ent order alto gether) would take us too far afield Here this much at least is clear it is pe sonality alo e which can confer a right to things and the efore *jus ad pe so* *i* in its essence is *j s ad rem rem* be ng taken he e n its g ral sense as yth external t my f eedom includ ng v n my body and my life In this sense *j s ad m* is the right of pe sonality as such But from the point of v w of what is called *j ad pe so m* in R m la a man s reck ned a person only wh n he is treated as possessing a c r tain status Hence in Roman l w e en person l ty itself is only a certain standing or status contrasted with slavery The so called Roman law of pe sonal rights then is conce ned with family r la t on hips though it excludes the right ove slaves (and slaves almost incl des ch ld n too) as well as the status (called *capitis d m t o*) of h g lost one s rights (In Kant by the way family relation ships are the *ju a real ter pe sonal a*) The Roman *jus ad perso am* is therefore not the right of the person as person but at most the right of a person in his particular capacity (Later on in this book it will be shown that the substantial basis of family rel tionships is rather the sacrifice of personality) N —

such

Kant s *ju a personal a* are the rights issuing from a contract whereby I undertake to give somethi g or to perform something—the *jus ad rem* conferred by an *obl g tio* in Roman law To be sure it is only a person who is required to execute the covenants of a contract just as it is al o only a person who acquires the right to their execut on But a ri ht of th s sort cannot f r this reason be called a personal right rights of whatever sort belong to a person alone Objectively considered a r ght arising from a contract is never a right over a pe o but only a right over something exter al to a person or some thing which he can alienate always a right over a thing

Sub section I
PROPERTY

41 A person must translate his freedom into an external sphere in order to exist as Idea Person ality is the first still wholly abstract determina tion of the absolute and infinite will and there fore this sphere distinct from the person the sphere capable of embodying his freedom is like wise determined as what is immediately differ ent and separable from him [A]

4 What is immediately different from free mind is that which both for mind and in itself is the external pure and simple a thin some thing not free not personal without rights

Thing l k the objective has t o opposed meanings If we say that s the thing or the thi g is w h t m tte s n t the pers n thi g mea s what is sub tantive O the the hand when thing is o t asted with p rson as such not with the particular subject it means the opposite of wh t is substant e i e that who e determinate character l es in its pure extern lity F om the p t of view of free m d which must of course be distinguished f m me c ciousness the e ternal is external absolutely a d it is for this reas n th t the d ter m nate character assigned to nat e by the c cept is inher t xtern lity [A]

43 As the concept in its *immediacy* and so as in e sence a unit a person has a *natu al* exist ence partly within himself and partly of such a kind that he is related to it as to an external world —It is only these things in their immedi acy as things not what they are capable of be

See P phs 3 3 d 33 —E
J C H necc *El ment ju c d* [B 1763] §1
See Rema k to Paragraphs 75 18 —E

P g phs 63 167 8 —E

no unjust. That every ught t ha subs t ce en ugh f his eeds is m ral ish and thus vagu ly expressed is well enough meant b t lik an thing t at is nly w ll mea t t lacks bjecti ty On th ther hand, subsistence is t the sam as posses sio and bel gs t an th sph re i.e. t ci il soc ety [A.]

50. The principle that a thing bel ngs to the person who happens to be the first in time to take t into his po es on is immediat ly self explanat ry and superfluous becau e a second person cann t take int his pos es ion what is alre dy the property of an ther [A.]

51 inc pr perty is the *embod me t* of per sonality my inward idea nd will that omething is t be mine is not e ugh to make it my p op erty t secure this end occupancy is requ ite Th embod ment which m willing th r by at

t othe s. [A.]

52 Oc upancy makes th matt r f the thing my p operty sin e matter in tself does not be long t tself

me—and matt is th

t ingl things (see R ma k t P ra raph 13 d P ragraph 43)

Thus th mastery and ext rnal possessi f things becomes i ways th t gai re infinit m re less ind t rminat a d incompl t Y t m tt r is re with t a essential f rm f t wn d nl because t has is it anything Th m re I p- propriat this f rm th m re d I t i t ct l posses i f th th ng Th cons mpt f food is an t d t lteratio f its q alitat ha ct th character th stre gth f which it w wh t it was bef re t wa eat Th trainin f my body in dext rit lik the trai ng f m m d i likew e m re less complet occupa c d pe trati of it It is m mind wh h f all things I can mak m t c mpl t ly my wn Yet th ctual

su h be

property is su posed t ... propert f th thing is o wh h th ht must ma ter [A.]

53 Property has ts modificat on determ ned in the course of the will s relat o to the thing This relation is

(A) *tak g posse sion* of the thing d rectly (here it s in th thing *qua* somethi po ti e that the will has its embod ment)

(B) *use* (the thing s egati e n ontrast w th the will and s it is in the th g as ome thing to be negated that the will has ts embodime t)

(C) *al en t on* th reflect on of th will back f om the thing into t elf

These three a e respecti ely th pos ti e e a t e and fi te judgements of th w ll the thing

A Tak g P ss on

54 W take po es on of a thing ( ) by d ect ly gra p g t physic lly (β) by formin it and (γ) by me ely marki t as urs [A.]

5 ( ) F m th po nt f ew f nsa n t

such th rr lati bject f an indi d al perso B f re t ca become su h and be ppropri ed, t m t first be indi dualized int si l parts, irt bre th f air drink f water I th f ct ha mpossible t tak possessi f an

ubj ct temporar nd en u ly str ted

be accidentally b ught the pe of thi me hod

See P ragra hs ff 3 ff.—E

Cf end f the R ma k P ragraph 3—E

as happens for instance when private property is put into the hands of a so called artificial person and into mortmain Still such exceptions to private property cannot be grounded in chance in private caprice or private advantage but only in the rational organism of the state

The general princ ple that underlies Plato s ideal

men holding their goods in common and rejecting the princ ple of private p operty may readily present itself to the d sposition which mistakes the true nature of the freedom of mind and r ght and fa ls to apprehend it in its determinate moments As for the mo al or rel g ous view behind this idea when Epicurus s friends proposed to form such an association holding goods in common he forbade them prec ely on the ground that thei proposal betrayed distrust and that those who distrusted each other were not fr ends [A]

47 As a person I am myself an *immediate* individual if we give further precision to this expression it means in the first instance that I am alive in this bodily organism which is my external existence universal in content and undivided the real pre condition of every further determined mode of existence But all the same as person I possess my life and my body like other things only in so far as my will is in them

The fact that co sidered as existi g not as the con c pt expl c t but only as the concept in its immedi acy I am alive and have a bodily o nism depends on the concept of life and on the concept of m nd as soul—on moments v h ch are tak n over here from the Philosophy of Nature a d from Anthr pol gy

I p ssess the members of my body my life only o long as I will to possess th m An animal cannot maim or destroy itself but a man can [A]

48 In so far as the body is an immediate existent it is not in conformity with mind If it is to be the willing organ and soul endowed instrument of mind it must first be taken into possession by mind (see Paragraph 57) But from the point of view of others I am in essence a free entity in my body while my possession of it is still immediate

It is only because I am alive as a free entity in my body that this living existent ought not t be misused by bei g made a beast f b d n While I am al ve my soul (the concept and to u e a higher te m th free e tity) a d my body re not sep rated my body is the embodim nt of my freedom and it is with my body that I feel It is therefore only abstract sophist cal reasoning which can so distinguish body and soul as to hold that the thin in itself

withdraw into myself out of my bodily existe ce and make my body something external to myself particular feel ngs I can regard as something out s de me and in chains I can still be free But this is *n y* will so far as *others* are concerned I am in my body To be free from the point of view of others is identical with being free in my determi ate existence If another does violence to my body he does violence to me

If my body is touched or suffers violence then because I feel I am touched myself actually here and now Th s creates the dist nction between person l injury and damage to my e ternal property for in such property my w ll is not actually present in this direct fash on

49 In relation to external things the rational aspect is that I pos ess property but the particular aspect comprises ubjective aims needs arbitrariness abilities external circumstances and so forth (see Paragraph 45) On these mere possession as such depends but this particular aspect has in this sphere of abstract personality not yet been established as identical with freedom What and how much I possess therefore is a matter of indifference so far as rights are concerned

If at this stage we may speak of more persons than one although no such distinction has yet been mad then e may say that in respect of the r personality persons are equal But this is an empty tautology f the person as something abstract has not y t been part cularized or established as distinct in some specific way

Equality is the abstract ident ty of the Understand n reflecti e thought and all kinds of int l lectual mediocrity stumble o t at once hen they are conf o ted by the rel tion of u ty to a diff r ence At this point equal ty could only be the equ l ity f ab tract perso as such and therefor the whole field of possess o this terrain of i equal ty falls outside it

The d m d s m times made for an equal di isi n of la d a d oth vail ble resources too is an intellect alism all the m re empty nd uperf ci l in that at the heart f p rticular differ ces ther lies not only the e t r al co tingency of n ture but also the v hole compass of mi d endlessly p rt cul riz d and d ffe enti ted and the rati nality f mind de veloped into n orga ism

We may not spe k f the i j tic of nature in the un q l d stribut n of possess s a d resou es since n ture is n t free and therefore is eithe ju t

Cf Pl t *Law* 739 —Ed
D ogenes La t 6
E c [t ed] §§ 59 ff Cf §§ 16 64 98 [3 d ed §§ 336 ff Cf §§ 2 3 16 376]
Enc [1 t ed] §§ 3 8 [3 d ed §§ 388 ff]

See my *S* / *Log* [t ed] I i pp 49 ff [E g t I i pp 7 35 b t th f t l t f the sec d ed t i wh h the pa q es i w m ch lt ed a La po ts t]

n just Th t every ght t h ub t gh f his eeds is m ral ish d th gu ly thing w ll enough meant b t lik n the

ty [A.]

50 Th prnc ple th t a thing b longs to the perso h happen to be th first in t me to take t int his pos e s n is immediately self explanatory and superflu us becaus a second pe o ann t t ke int h s po se s on wh t is already the prope ty of a othe [A]

5 S ce prop ty i the *embod me t* of p r m inward idea a d w ll that something

t oth s [A.]

5 Occupa cy makes th matte of th th ng my p perty sin e matter ts lf d es ot be l g to tself

M tt ff rs esistance t me—a d m tt is th in cept th resist t ff t me—that is, t p ese ts tself t my mind as som thi b tractly indepe d t nly when my mi d is tak bstract ly as ensat (Se se pe epti perv rs ly takes t d mi d as

that t impossibl t tak possess f ex t rnal ki d f thi g as such f an lem t t is t th xt rnal ph cal imposs bility which m t be looked ultim t b th f ct th t perso will haracterized as indi d al whil as per so h is t th sam tim *mm diat* indi d lity hence as pe o h is related t th external w ld

See P ragra hs 99 ff 3 3 ff —E

t ingle th g (se R m rk t P ra ph 13 d P gr ph 43)

Thus th m stery a d ext rn l p ssessio f thing becom w y th t g re infinit m les ind t rm t a d inc mpl t Yet m tt r i w th t esse t l f rm f it w d l b cause t h is it yth g Th m r I ap p opri t this f rm th m e d I t t t l f th th g The ns mpti f f d

prope ty is ppo ed t remai m p perty f th th g is e wh ch th ght m t ma t [A]

53 Pr pe ty has its modificat ons determ ned in the ourse of the will s relation to the th ng Thi relatio is

(A) *t k g possess on* of the thing d ectly (her it i in the thi g *q as* mething po t e that the will h s it emb d ment)

(B) *use* (the thing negati e n cont a t with th will and so t is in the thing as ome thing to be negated th t the will has ts embodime t)

(C) *al enat on* the eflect on of the will b ck f om the thing i t tself

These th ee e respect ly the po t e ega t and infi t judg me ts f th will o th thing

A *Tak g Po sess*

54 W take posses n of a thing ( ) by di ect ly gr p ng t phys c lly (β) by form g it d (γ) by m ly m king t s o [A]

55 ( ) F om th po nt f iew f se at on t grasp th g phys cally s th most mplet f th e m des bec then I am di ctly p t in this p sse and the ef my w ll is ec gnizabl n it B t at b tt m th m de i only subj t e t mp rary d s u ly restri ted in cope well by the q l tati e n tu f the thi gs gr ped —A e ult of the o whi h I m y effect betw en som thi g d th gs wh h ha l ady be me my pr perty in other w ys o into whi h mething m y oth rw e be accidentally b o ght th pe of th meth d

Cf d f the R m k P ragraph 43 —Ed

is somewhat enlarged and the same result is pro duced by other means also

Mechanical forces weapons tool extend the range

s metimes possible for me alone to take possession of something or to make use of it In tances of such connexions are that my land may be on the seashore or on a river bank or my estate may march with hunting country or pasture or land useful for some other purpose stone or other mi eral deposits may be under my fields there may be treasure in or un d r my ground and o on The same is true of con ne ions made by chance and subsequent to posses sion like some of what are called natural access ons" such as alluvial deposits &c and jetsam (*Fetura* is an access on to my wealth too but the connex ion here is an organic one it is not a ca e of a thing being added *ab extra* to anotl er thing al eady in my posses ion and therefore *fetura* i of a type qu te different from the other acces ons) Alter nat vely the add tion to my property may be looked upon as a non self sub stent accident of the th ng to wh ch it has been added In every case however these are *external* conjunctions whose bond of co nexion is neither l fe n r the concept It de olves therefo on the Understa din to ad duce and weigh their p os and cons and on positive legislat on to make dec s o s about th m in acco d ance w th the extent to wh ch the relation between the th gs conjo ned has or has not any essential ty [A]

56 (*β*) When I impose a form on something the thing s determinate character as mine ac quires an independent externality and cea es to be restricted to my presence here and now and to the direct presence of my awareness and will

To impose a form on a thing i the mode of tak ng pos ession most in c nfo mity with the Idea to this extent that it impl es a unio of bject and object although t va ies endlessly with the qualitative char acter of th objects and the variety f subjecti e aims

U d th h ad there also falls the format n of the organ c What I do to the organ c does n t re main e tern l to it but is m l ted by it Examples are the tilling of the soil the cultivat on of pla ts the tami g and feed ng of animals the pres rvation of game as well as contrivances f r util zing raw materi ls or the forces f nat e and processes f m king one material p oduce effects on anothe a d o fo th [A]

57 Man pursuant to his *immediate* existence within him elf is somethin natural external to free that he takes pos ession of himself and be comes his own property and no one else s This taking possession of oneself looked at from the opposite point of view is the translation into ac

time becomes e tabli hed as one s own as one s object also and distinct from elf consciousness pure and simple and thereby capable of taking the form of a thing (compare Remark to Paragraph 43)

The alleged justification of slavery (by refere ce to all its proximate beginnings throu h physical force capture in war sa in and preservation of l fe upkeep educ t on philanthropy the slaves own acqu e cence and so forth) as well as the ju ti fication of a slave ownership as simple lordsh p in general and all historical views of the justice of slavery and lordship d pend on regardi g man as a natural ent ty pure and simple as an e istent not in conformity with its concept (an exist nt al o to which arb trariness is appropr ate) The argument for the absolute i justice of slavery on the other hand adhe es to the co cept of man as mind as something inherently free This ew is o e ided in re arding man as free by nature or i other w rds it t kes the concept as such in its immediacy not the Idea as the truth This anti omy rests, l ke all otl rs on the ab tract thi ki which asserts both the moments of an Idea in separation from one an otl er and clin s to e ch of them in its ind pendence and s in its inadequacy to the Idea and in its fal sity Free mi d c nsists precisely (see Paragraph 21) in its being no longer impl cit or as c ncept alone but i ts tran cend ng this f rm l st ge of its being and *eo ipso* its immediate natural ex tence until the e i tence which it gives to it lf is o e which is solely its o n d free The side of the antinomy wh ch asserts the concept of fr dom th refore h s the me t of imply ng the abs lute sta ting po t tho gh o ly the startin poi t for the discovery of truth wh l th oth side goes fu ther th n existence w tho t the c ncept and therefore excludes the o t look of rational ty and ri ht alt gether The po tion of the free w ll w th wh ch right a d th scienc of r ght b gi is alr dy in ad ance f the false posit on at which man as a natural ent ty and only the con cept impl cit is f r th t rea o capable of be ng e slaved Th s f lse c mp r t ly prim tive phe n m on of sla y i o wh h bef ll m d wh n m d is onl at the l l of c sci u ess The dia l ctic of the co pt nd of th p ly immed ate conscious ess of f eedom bri gs b t at th t po nt the fight f r r c gn t o nd the rel ti nship f mas ter a d sl B t that objecti e m d th c tent of th ght should n lo g be app ehended in its s bject ve c c pt al ne and conseq ntly th t man ab l t unfitness for sla ery sl ld l g

See *Ph m l gy* [t ed] pp 15 ff [l g t pp 19 ff] d *Enc* [1 t ed] §§ 35 ff [3 d edn §§ 43 ff]

er be apprehended as m re ght t be is som thing which does not com b m t minds u til w recognize that th Idea f freed m is genuin ly actual ely as th tat [A.]

which in of g of my d s ery

mdet ILILII

B Use f the Th g

59 By being taken into possession the thing acquires the p edicat min and my will is re lated t t po it ely Within this dent ty the thin is eq ally established as som thing nega tive and my will in this tuation is a particul r will, i.e. need, in linatu n and so forth. Yet my need, as the particular aspect of a s gle will is the positive elem nt which finds satisfacti n and the thing as som thing negati e in itself exists onl for my eed and is at its ervi e— The use f the thing is my need being xt mally realized thro gh the change de truct n and con ump on of the thing Th thing the by stands rev eal d as naturally self less and so ful fils ts destiny

rdand ct alized n-

60 T thing by gra ping t dire tly is in itself t take pos ess on f si gle thing he

its externality i e its non substantiality —in co trast with me it is not an end in itself (see Paragraph 42)—and nce in my use or emplo ment of it this external ty is realized it follows that my full use or employment of a thing is the thing n its entirety so that if I have the full use of the thing I am its owner Over and abo e the entirety of ts use there is nothing left of the thing wh ch could be the property of another [A.]

6 My merely partial or temporary use of thing like my partial or temporary posses on of t (a possession which itself is simply the part l r temporary poss'b'lity of using it) is th r fore to be distingu hed fr m ownership of the thing itself If the whole and ent re use of a thing were mi e whil the abstract ownersh p was suppo ed to be s meone else s then the thing as mine would be penetrated throu h a d th ough by my will (ee P ragraphs 52 and 61) and at th same time there would remain in the thing something impenetrable by me namel th will, the empty will f another As a pos ti e will I would be at one and the same time objecti e and not bjecti e to myself in the th g —an absolute co tradiction. Ownership there f r is in es ence free and compl te

T distinguish betwee th ri ht t the wh l and entire use f thi g and wn rsh p in th bstract is th wo k f th empty U d rstandin f which th Idea—i.e in thi in tance th un ty f ( ) wn rsh p (es th perso s will as b) d (b) ts realizati n—is t th truth b t f which these tw m ments in thei separatio f m th pass as something wh ch is tru This distincti th as relati in th w rld f f ct is that f e lord t thing and this might be called in-sanity f personality (if w ma mea by nsanity t m rely th prese ce f direct co tradicti b tween ma p rely bjecti deas d th ct al f cts f his lif) beca se 'min as pplied t re t mea th direct p esen

ing posses f th elemental r rgani ba f such p odu ts o f anything el e that di tions them.

6 ince the s bstan f th thing which my pr perty is f we tak th thing by itself

See P ragra h —Ed

See Para ra h 4—Ed

or a f at to make this proviso and thereby give some sen e to that empty distinction! A *p opnetas* SEMPER *obscede te usufructu* v ould not merely be *inutil s* it would be no *propnetas* at all

To exam ne other d tinctions in property itself e g betv een *res* *r ancipi* and *ec ma c p* *domi iu qi itarii* and *bon tarii m* &c is inappro pr te here nce they have no bearing on any of the modif cat ons of p operty determined by the con cept and are merely tit b ts culled from the history of the right of property The empty disti ction dis cu sed above however is in a way contained in

—

in their sundry modifications in cases where such b rdens are irredeemable But from another point f view the e relat ons preclude that distinction They preclude it in so far as burdens are entailed in *dom niu ut le* with the result that *domin m di*

str ct sen e but an o ner on the one hand and an overlo d who was the overl rd of noth ng on the other But on the core of the burde s imposed there are two ow ers standi g in relation to each other Although the r relat on is not that of being common owners of a p operty till the trans tion from t to common ov nership is very easy—a tran sition which has already begun in *dom i m d ect m* when the yield of the pr perty is c lc lated and lo ked upon as the essent al th ng while that in

to the *t t le* wh ch here is the rational f ct

It is about a m llennium and a half since the free dom of per onal ty b gan throu h the pread of Ch istianity to blossom nd gain recogn t on as a universal princ pl from a p rt though still a sm ll part of the human r ce But it was only yesterday v might say that the pri c ple of the freedom of p perty became recogn ed in some places. This e mple from h tory may serve to rebuke the impati nce of opi ion and t sho the le gth of time that mind r q s for progress in its self c nsc ousness

63 A thing in use is a single thing determined quantitatively and qualitatively and related to a pecific need But its pecific utility being quan titatively determinate is at the same time com parable with [the pecific utility of] other things of like utility Similarly the specific need which it satisfies is at the same time need in general and thus is comparable on its particular ide with other need while the thing in virtue of the same con iderations is comparable with things meeting other needs This the thing s universal ity who e imple determinate character an es from the particularity of the thing so that it is

of consciousness As full owner of the thing I am *eo ipso* owner of its v lue as well as of its use

The distinctive character of the property of a feudal tenant is that he is supposed to be the owner of the use only not of the value of the thing [A]

64 The form given to a possession and its mark are themselves externalities but for the subjec tive presence of the will which alone constitutes the meaning and value of externalities Thi presence however which i use employment or some other mode in which the will expre ses it self is an event in time and what is objective in time is the continuance of this expression of the will Without this the thing becomes a *res nullius* becau e it has been deprived of the actuality of the will and pos ession Therefore I gain or lo e possession of property through prescription

Prescription therefore has not been introduced in to la solely from an external consideration runnin count r t right in the strict sense i e with a v ew to truncating the d putes and co f sions wh ch old cla ms would introduce into the security of p operty On the co trary pre cription rests at bottom on the pecif c char ct r f p perty as re l on the fact that the ill to possess omethin must express it lf Publ c memori ls are nat on l property or more precisely like works of art i ge eral o far as the r enjoyme t is concerned they have life and cou t as ends in themselv so long as they en hrine the p rit of remembra ce and honour If they lo e this p rit they become in this respect *res null s* in the eyes of a n t n and the p ivate pos essi n of the f rst com er l ke e g the Greek and Egyptian v orks of art in T key

The right of pr vate prope ty wh h the fam ly of an a thor has in his publicati ns di s t for a sim l r re n s ch p bl cat ons become *s l l t s* in the sense that like p bl c m m rials th ugh i oppo te v ay they bec me p bl c p ope ty and by h v g their pecial ha dl g of th ir top c cop ed the p ate pr perty of anyo

V cant l d co ecrated f a b ial grou d o e en to l e ed in perpet ty m ood es an empty ab ent a b t ry v ill If s h w ll fri ged th ing actu l is l fringed a d h n espect f lt can not be g ra teed [A]

C *Alienation of Property*

65 The reason I can alienate my property is that it is mine only in so far as I put my will into

See P h 44 —E

it. H ce I m abandon (*derel ere*) as a *res* null s thing that I have s yi ld it to th will f a ther and so m his po ses n p ov ded always th th thing in question s a thing ex ternal by nature. [A.]

66. Therefor those goods or rather ub tan tive characteristics which onstit e my own priva e person lt and th uni ersal essence of m self-con ciousness re inalienable a d my right to them is imprescri tible u h character ics are my persona lit as such my uni ersal freedom f will, m ethical life m r ligion.

The f ct that what mind is in ccordance w th its concept m u ly it also s uld be explicitly and concrete m n ly it also should be explicitly and en entall (th f ct that thus mind h uld be perso be capa f h lding propert h ld have an ethical li relig) is th Idea which is tself th concept f mind As free ca usal it mind is that w

It is just in this concept f mind a that which is what it is only thro h its wn free ca sality and through endless return int tself t f th nat ral immediacy f its existence that there lies th

branc es on property and so f rth. Aliena I Errence and rationality f morality ethical li and religion is exemplified in superstiti in certain someone else full powe and th nt t fix and prescribe what ctions are t be d ne (as when an

m and with m ral and religi us life, takes wa from these characteristics f mine just that externality which lone mad them capabl f passing in th possess f someo lse When I have thus annulled their externality I canno lose them through lapse f tim from an ther reason drawn from m pri consen willingnes alien- them. This return f min in myself wh reby I mak myself existen as Idea, a perso with rights and moral principles, annuls th previo po- sition and the wrong d ne t m concept and my reaso by thers and myself wh th infinite em bodiment f self-consciousness has been treated as

someth external and that with m co sent This ret rn int m self makes clea th co tradi ti in suppos g that I ha gi e int a posses- si my capacity f ri hts, m ethical li d r ligi us feeling f ther I ha e gi en p wh t I my lf did ot possess, I am gi in p wh t so soo as I possess t exist in essence as min al and t as som thi g ternal. [A.]

67. Single products f m particular phys cal and mental kill and of m power to act I can ali na e to someone el e and I can gi e him the use f my abilities for a restricted period be cause o the tre gth f this restrict n my abilities acquire an external relatio to the total ty and uni ersality of m being B alienatin th who e of my time as crystalli d in my work nd everything I produced I would be makin into anoth r s propert th sub ta ce of m be in m uni ersal activit and actualit m per nality

Th rela here between m self and th ex rcise f my bilities is th sam as th t between th sub- tance f thing and t use (see Paragraph 6) It is ly when use is restricted that d tinct be tween use and substance arises. So h t use f m powers differs from m powers and th ref re re ions, pa ticula s.

68. What is peculia ly mine in a product of my mind may owing t the m thod wher by it i expressed, turn at once into somet ing ext rnal like a thing which e pso ma then be pro- d ced by othe people Th result is that by t k ing po es on of a thing of this kind its new owner may make his own the thou ts c mmuni cated in i o the mechanical in ention which t contains and t is ability to do this which om times (e in the ca of books) c nstitu es the value f these things and the onl purpo f posses ing them. B besides this the ew wner t the sam time comes into pos ess on f the universal methods of o exp es ing him lf and prod cing num rous other thing of the sam sort.

In t case f wo ks f art, th f m—th po trayal f th g t in ext rnal medium—is, re garded as thing so peculiarly th propert f th individual artist that copy f w k f art is es- sentiall prod ct f th copyist wn mental and technical bilit In th case f literary wo k, th f rm in virt f which it is an external thing is f

Spinoza, Eth Pt. I Definition

case the thought has a mechanical content throu h out The ways and means of p oducing thin s of that mechan cal kind as things are commonplace accom pli_hments

But b tween the work of art at one extreme and the mere journeyman production at the other there are transitional stages which to a greater or less de gree partake of the character of one or other of the extremes

69 Since the owner of such a product in own

single thing even if the author of the book or the inventor of the machine remains the owner of the *universal* ways and means of multiplying such books and machines &c *Qua* universal ways and means of expression he has not necessarily alienated them but may reserve them to himself as means of expression which belong to him

The substance of an author s or an in entor s ri ht cannot in the first instance be found n the suppo sition th t when he disposes of s n le copy of his wo k h a bitr rily make t a c ndit on that the power to p oduc facsim les as things a powe which th reupon passes i to anothe s possession should not become the p ope ty of the other but should remai h m Th

1
erty r wh ther it d es not cancel the omplete and

po er t rep oduce o to p t with this pow r as a th ng of value or to ttach no v lue to it at all and urrender t together with the sin le e emplar of his work I reply th t this po er to eproduce h s a speci l charact r viz it is th t in vi tue of hich the thing is not me ely a possess on but a capital as set (see P graphs 170 ff) the f ct that t is such an asset d pends on the pa t cular e ternal kind of way in wh ch the thing is us d way d t nct and separ ble from the u t which the thi g is d ectly d st ned (th asset h e is n t as has been aid an *access o tu alis* l ke *f t*) Si ce then this dis tinction f lls into the sphe e of that wh e n ture e tails its divis b l ty into the sphere of *e ternal* u e the retention of part of a thing s [ext nal] use and the alienation f a other p rt is not the reten t on of a p oprietorship with *t itle*

The pu ely neg t ve th h the primary m ns of ad a c g the sciences and arts is to guara tee sci entists and a t sts aga st theft and to en ble them to benefit from the prote ti n f their prope ty just as it was the primary and most important means of advancin trade and indu try to guarantee it against hi hway robbery

Moreove the purpose of a product of mind is that people other than its author sl ould underst d it and make it the poss sion of the r ideas memory th nki

memoriz n them the thou hts of others can be apprehended only by thinking and this re-thinking the thoughts of others is learn ng too) into a thing wh ch they can alienate very likely has some pecul form of its own in every case The result is that they may regard as their own prope ty the cap tal asset accru n from their le rning and may claim for th m selves the right to rep oduce their learnin in books of their own Tho e engag d in the propagation of kno led e of all kind in particular those whose ap pointed task is teach ng have as their pecific func tion and duty (above all in the case of the positive ciences the doctrine of a church the study of posi tive law &c) the repetition of well established thou hts taken up *b extra* and all of them given ex pression al ady The same is true of writings d vi ed fo teach ng purpo es and the spre d and prop a ation f the sciences Now to what e te t does the new form wh ch turns up when meth n is expres ed gain and again transform the available stock of knowled e and in particular the tho hts of others who still r tain *external* p operty in tho e intellectual product ons of the rs into a pri ate me t l property of th d v dual eprod c r a d thereby gi e him or f ltog e h m the right to make them his *external* property as well? To hat e tent is such repetition of another material in one s book a pl gia ism? There s no p ecise p inciple of determinat on avail able to ans er these quest ons and therefore they cannot be fi lly settled either in pr ciple r by pos ti e leg latio Hence plagiarism would have to be a m tter f honour and be held in check by hon ou

Thus copyright legislat on attains ts end of secu the prope ty ri hts of autho and publish only to a ery r stricted extent thou h it does attain it w thin l mits The ease with which e may d liber atel chang som thing in th form of h t we are exp u din or in ent a trifling m d fcation in a large body of kn wledge a compr hensi e theory wh ch is an th s work a d even the imposs b lity of sti k m t the uthor s word in xpo di g something we have learnt all l d of them l es (q te p rt from the particula purposes f r which s ch repet ti s a e requ ed) to an e dless m ltipl city of al terations wh ch more or less s perf lly st mp some one lse s property r ow For i ta ce the h d eds a d h nd ed f comp dia select ons, a thologies &c arithmetics geom tries r ligi tracts, &c how ho e ery new id a in a r v w or annual or encyclopaed a &c can be f rthw th repeated over a d over ag u der th same r d ff ent titl a d y t may be claimed as s m th ng pecul l the write s own The result of this m y easil be that th profit promised to the a tho o the p oject r of th riginal u d rt ki g by h s work o his ori inal idea bec mes negligible o reduced for both

parties 1 t t ll cerned. ffecti eness f h r in checking

C t t pres pp se th t the part s e ter g it ec mi ch th as persons and property w It is rel t nsh p at th l vel f mind objecti e d o t ns and pres pposes f om th start th m m t f ec gnit (c mp R ma ks t P ra graph 35 a d 57) [A.]

Sub-section II

CONTRACT

72 Contract b i gs nto ex stence the property who e e ternal side its ide as an e istent is no lo ger a mere th ng but conta ns the mo w ll (and consequ ntly the will of a owner

o Th comp ehens ve sum of external act v ity i.e. life is not external to pe s ality as that *A* *ll* The s r

73 I ha e power to al enate a property as a ext rnal thing (see P r graph 6) but more than this the c ncept compels me to alienat it *qu* p operty n o der that the eby my w ll may become objecti e to me as determi ately ex t nt I this s tuati n howe er my will as al en ated s at the me time anothe s w ll Con s q e tly th s tuat on whe e n this comp l on of th co c pt s re l ed s the unity of d ffe t wh ch b th surrende the r et h s *not* ident cal with the other but retains f om its wn point of ew a pec al ha acter of its own

T ns t on f m P ope ty to Co tract

71 Existe ce as determi at be g s ess ce bein fo an ther (see R ma k t Pa agraph 48)

hi h t exist c only b th will t an ui r

4 Th s co tr ctual relat onship the ef re is the me s whe by one ident al ll an pe st w thin th ab lute diffe n bet e i depend m l th t ea h i ac

me of th r pe s s vill as w ll d o h ld t in rt f my part pati in a om m ill

Reaso m kes t j t ecessary f m t ent i t t ct l lationsh ps—gift h g t d & —as t p ssess p perty (se Rem k t P gr ph 45) Whil ll th y nsci us f is that they led t m k tr ct by eed in g ral by b ev len d a tage & th f ct em in that they led t d this by so implicit withi them i by th Idea f th eal ist f free perso l ty eal h re mea g p ese t th ill

e a other b l g i g t om e lse d th m di t n take pla when the two w lls as c ted identity th se that one of th m om s t ts d c s n only in the prese e f the othe

75 The two cont ct ng part es elated to e ch the *immed ate* self b stent persons Th efo ( ) contract es from the a b tr ry

See P ra ra h 57 d 3 3 ff —E
Cl P h d A l *E h* 53 5
ff and O k S ul 5 6 ff —E

S P ragraph 7 w th th Rem k d the t th et —E

will (β) The identical will which is brou ht into existence by the contract is only one *posited* by the parties and so is only a will shared in com mon and not an absolutely universal will (γ) Tl oh h n h

has it in its power to alienate (see Paragraphs 65 ff)

To subsume marriage under the concept of contract is thus quite impos ible this subsumpt on—though shameful is the only word for it—is propounded in Kant s *Philosophy of Law* It is equally far from the truth to ground the nature of the state on the con t actual relation whether the state is supposed to be a contract of all with all or of all with the mon arch and the government

The intrusion of this contractual relation and rela t onsh ps concerning pri ate property ge erally into the relation between the individual and the state has been productive of the greatest confusion in both con

right of the monarch and the state so also in more ecent times the rights of the monarch and the state have been regarded as the subjects of a cont act and as grounded in contract as somethi g embodying merely a common will and resulting from the arbi trar ess of parties united i to a state However d f ferent these t o points of view may be they have this in common that they h ve transferred th char acterist cs of private property into a sph re of a qu te different nd b ghe ature (See below Eth cal Life and the State) [A]

6 Contract is *formal* when the double consent whereby the common will is brought into exist

nn d h

the positive moment—the appropriation of the

C h n

therefore in such a contract becomes a property owner and remains so This is a contract of *ex change* [A]

7 Since in real contract each party retains the same property with which he enters the contract and which at the same time he surrenders what thus remains identical throughout as the prop erty implicit in the contract is distinct from the external things whose owners alter when the ex

[§§ 4 7]
C I a phs 277 8 —E
e P t III ee especially P rag ph 58 278 294 —E

change is made What remains identical is the value in respect of which the subjects of the

(

jects of the contract participate (see Paragraph 63)

The le al provi ion that *laes o enorm s* annuls the obligation arisin out of the makin of a contract

property owner and more precisely an owner of the quantitative equ valent of v hat he alienates But a *laesio* is not merely *e o m s* (as it is taken to be if it exceeds one half of the value) but infinite if someone has e tered on a contract or made a st pu lation of any sort for the alienation of in lienable goods (see Paragr ph 66)

A stipulat on mo eover differs from a contract first in its *conte t* because it signifies only some s ngle part or m ment of the whole contract and secondly because it is the *form* in which the contract is settled (a point on which more will be said later) So far as its content is concerned it comprises only the formal character of contract i e the will ngness of one party to give somethin and the w llingness of the other to accept it for this reason the stipulation has been enumerated amongst so call d un l teral contracts The d st ction between unilateral and bi lateral contracts and d stinctions in Roman law be tween othe types of contract are sometimes super ficial juxtapositions m de from solated and often e ternal point f iew such as th t f the differe t types of contractu l forms or som times they con fu e ch racter stics intrinsic to co tract itself with others wh ch only arise lat in connexi n with the adm n strat on of just ce (*act o es*) and the legal p ocesses giv ng effect to positi e la s and which are often de i ed f om quite e ter al circumstances and contraven the concept of right

78 The distinction between property and pos session the substantive and external aspects of ownership (see Paragraph 45) appears in the sphere of contract as the distinction between a common will and its actualization or between a covenant and its performance Once made a cov enant taken by itself in d stinction from its per formance is something held before the mind something therefore to which a particular de terminate existence must be given in accordance with the appropriate mode of giving determinate existence to ideas by symbolizin them This is done therefore by expressing the stipulation in formalities such as gestures and other symbolic actions particularly by declaring it with preci

La *mi* l d m ge
See I ph 7 —E
E [1 t d] §§ 379 ff [3 d ed §§ 455 ff]

sion in language, th most worthy medium for the expression of our mental ideas.

Th stipulation accordingly is th form given to th content of contract i.e. t what is agreed in t, and thereby this content, previously only an idea, attains its determinate existence But th idea which we have of th content is itself only form which th content takes t have an idea of th content does n t mean that th content is still something subjective, desire wish for so and so On th contrary th content is th will ultima decision ch subjective wishes [A.]

9. In contract t is th will, and therefore the substance of what is right in tract that the stipulation enshrines In o tract with this substance the possession wh h s till be ng retained with the contract em ins unfulfilled in self only something external depend t f r i s character as possession th will alone By making the stipulation, I have given up a property and withdrawn my particular arbitrary will from it, and it has e t bec m the p opert f another If then I agree to t p a ed terms I am bound to carry them out.

Th difference between mere promise and co tract lies in th f ct that promise is statement that I will give d perf rm something in th future and promise still remains subjective volition which because it is subjective I can till alter A stipulati in co tract, the other hand, is tself already th embodiment f th will decision in th sense that by making th stipulation I have alienated my property it has now ceased t be mine and I already recognise t as th pr perty f an ther Th distin tion in Roman law between pactum and t actus f false type

Fichte t tim maintained that m bligati t keep co tract begins nl wh th th party starts f lfilling his sid f t his reason was that up to that point I am uncertain whether th th party' declarations are seriously meant I that case it would f ll w that th bligati t keep co tract bef re it was carried t wo ld ly be m ral not an bligati by gh —B t th express f th stipulation is t simply declarati f g eral character t embodies comm will hich has been brought into exist ce and which has per seded th arbitrary and alterable dispositi ns f th parties. Th quest th ref re is t wh ther th the party uld have had di rent pri a tentions when th co tract was m d It rwards b t hether h had any ri ht t ha e them. E en f th other part begins t f lfil his d f th co tract, it is equally open t m t d wrong if I lik Th nullity f Fichte' view is also sh wn by th f ct that it wo ld base tractual rights th false m le th progress ad infi t m in ol ed in th infinite divisibility f tim things, etc &c. Th embodiment f th will in f rmal gest res in ex p cit and precise language is already th complet embodiment f th will as intelli t ent ty nd th pe f rmance f th covenants embodied is nly th mechanical con eq ce

It is tru that in positi law there are so-called "real co tracts as distinguished from consensual" co tracts, in th sense that th f rmer are looked p- w on th ct al perf rmance

80 Th lassification of contracts a d n intelligent treatment of the r ari us species o ce last lied is not he t be deri ed f m external ci cum an es but from distincti n l ing in the very nature of contract. These distinctions are thos between f rmal and eal c ntracts be tween own rship and possess on and use be tween alue and specific thin, and they y eld c tra ts f the following rts

A. G ft

(1) Gift f a thing—gift p pe ly so called

( ) Loan of a thing—i e the gift of a porti n of t o f res ricted use and e j yment of it here the lend remain the owner of the thing (m tuum and c m d t m with ut intere t) H re th thing lent eith a specifi thing r lse even f t be ch t may one th les be look d o universal, r t may be a thing which c unts (like m y) as a thing un ers l in t lf

(3) G ft f ers f any sort g the m e saf keepin of p operty (d positum) Th gift f thing n th special c dition that ts recip e t shall t become t wner until the date f the don death the dat t which h es in a y ca t be an own f p pert s testam nt ry dispositi n this is n contained

See P ragraph 76 —E

The cl s fica gi en here grees on the w w th Kant (Phil phy f Law [§ 3]) On would ha expected t a the ual h ndrum classi ca on f co tracts as real and consensual nom nate and inn mi na &c. would ha been lon nc band ned in f ou f ra al classifica on.

in the concept of contract but presupposes civil society and positive legi lation

B *Exchange*

(1) Exchange as such

(*a*) exchange of a thing pure and simple i e exchange of one specific thing for another of the same kind

(β) purcha e or sale (*emtio venditio*) exchan e of a specific thing for one characterized as universal one which counts as value alone and which lacks the other specific character utility—i e for money

( ) Letting (*locatio conductio*) alienation of the temporary use of a property in return for rent

(*a*) letting of a specific thing—letting strictly so called or

(β) letting of a universal thing so that the les sor remains only the owner of this universal or in other words of the value—loan (*mutuum* or even *commodatum* if interest is charged) The additional empirical characteristics of the thing (which may be e g a flat furniture a house *res fungibilis* or *non fungibilis* &c) entail (as in A above) other particular though unim portant subdivisions

(3) Contract for wages (*locatio operae*)—alienation of my productive capacity or my serv ices so far that is as these are alienable the alienation being restricted in time or in some other way (see Paragraph 67)

Counsel s acceptance of a brief is ak n to this and so are other c ntracts whose f lf lment dep nds on character good faith or s perior g fts and where an i comm nsurab l ty arises bet ee the serv ces ren de ed and a value in terms f cash (In such cases the cash payment is called not w g s but ho o rarium)

C *Completion of a contract* (cautio) *through gi ing a pledg*

In the cont cts whe eby I part with the *use* of a thing I am n longer n posses on of the th g though I am still ts wner as f exampl hen I let a hou e Fu the in gifts r contr ts f r ex chan e or purchase I m y have become the of a thin without as yet being in poss s ion of it and the same clea age bet een nership nd pos s ss on ari e in respect of the implement g of any und rt k wh ch is not simply a cash or barter tra sactio Now what the pledge eff cts is that i the one case I remain and in the the case I am p t in actual possession of the v lue s th t which is t'll or has already become my pr perty w tho t in either ca e be ng in possession of the specific th g which I am renouncing or wh ch is to be mine The pledge is a specific thing but one which is my prop erty only to the extent of the value of the p operty which I have renounced into another s possession or which is due to me its specif c character as a thin and any excess value it may have till belong to the person who gave the pledge Giving a pled e there fore is not itself a contract but only a tipulation (see [Remark to] Parag aph 77) i.e it is th mo ment which brings a contract to complet on so far as the *possession* of the property is concerned Mort g ge and surety are particular forms of pled e [A]

81 In the bare relation of *immediate* persons to one another their wills while implicitly identi cal and in contract posited by them as common are yet particular Because they are *immediate* persons it is a matter of chance whether or not their particular wills actually correspond with the implicit will although it is only through the former that the latter has its real existence If the particular will is explicitly at variance with the universal it assumes a way of looking at things and a volition which are capricious and fortuitous and comes on the scene in opposition to the principle of rightness This is *wrong*

The transit on to wrong is made by the logical h gh e necessity th t the moments of the concept—here the principle of r ghtness or the will as universal and ri ht n its re l existenc which is just the p r t cularity of the w ll—should be pos ted as expl citly differe t and th s happe s when the concept is real ized abst actly But this particularity of the will taken by itself is arbitrariness and contingency and in contract I have surre dered these o ly as arbitrari ness in the case of a single th g and not as the arbi trariness and contingency of the will itself [A]

Sub section III
WRONG

82 In contract the principle of rightness is present as something posited while its inner uni versality is there as omething common in the arbitrariness and particular will of the parties This *appearance* of right in which right and its essential embodiment the particular will corre spond immediately i e fortuitou ly proceeds in wrong to become a *show* an opposition be tween the principle of rightness and th particu lar will as that in which ri ht becomes particu larized But the truth of this show is its nullity and the fact that right reasserts itself by negat ing this negation of itself In this process the right is mediated by returning into it elf out of the negation of itself thereby it makes itself actual and valid while at the start it was only implicit and something immediate [A]

S e P a raphs 79 ff —Fo

See P g aph 97 ff —E

83. When rig t is some.hin, particular and t.ere f re manif ld in co ra.t with its mplicit universali y a.d implicit t acquires th form of a ow ( ) This h w of rig t is implicit or immedia e—non-mali.ci us wrong or a civil o ence (b) righ is mad s ow b the gent himself—fraud (c) the agent makes t a nullity a.oget.er—crime. [A.]

A. Non mali i us Wrong

84. Taking possession (see Paragraph 54) and co tract—both in themselves and in the r par ticular species—are in th fir n.tan e differen ticular species—are in th fir expres..o.s and co.sequen es of m willin, pure and imple but m e the will is t.e m e end universal, t.ev e thr .gh their rec gniti n b o.ers grounds f title Such gr unds are ex t rnal t o.e ano.he and multip e and this im t rnal t one ano.her p es t.a di. rent persons ma ha e t.em in re lat.on t one and the same thi.g Each person ma look upo t. thi.g as his p opert on the strength f t.e particu.a ground n w.ich h bases his t.le. It is in t.is wa t..t one man s ght ma cla.h with th s

8 This cla.h whi h rises w en a thing has been la.med on som .ngle ground, and which compri.es the sp ere f ci il suits at law en.ta.s t.e recognition of rightnes as th uni rsal and decisive f ct so th t is common ground t. t. thing in dispu .houd bel ng t the party who has t.e right t t Th suit is con cerned o.lv with th subsumption f the thin. under t.e p operty f one r other of t.e part.es —a stra. .ut rwa d ecisive j dgement where in the predicate mi.e, only th particular is neg ed.

85 Th recogr t on of right ess by t. parties is bound up with th ir opposed particula inte est a.d point f ew In oppos tion t th.s ow f right ess et wi.hin this h w tself (see the preced..g Paragra h) t.e princip e f right ness arises as something kept in ew and de ma.ded by th parties B t t first t rises only as an ought-to-be becaus th will is t et present here as will so f eed f om t.e imm di cy f i. erest a. desp t particu.arity to have t.e universal will for ts aim n is t yet at this point charac rized as a ecognized a tu. of such a sort th.t in f ce of the par ties w ud ha e to renoun e t.eir particu.ar in terest a.d poi.t f ew [A.]

B F .d

8 The principle of rightness, when distin gui.hed from t.e ri.ht as particular a.d as de-terminately existen is ch..racterized as ome-thing dem nd d, as the e ential thi.g et in this situat n it is till onl omethi g *demanded* and from that point of ew someth. g purely ubjecti e a d so inessential— mething merel .h wing there. Thus we ha e *f aud* when the uni ersal is set a.ide by th particular will and reduced t omething only showi..g in the si ua tio primarily in co tract when the universal will is reduced to a will w.ich is common only from the ut. de s point of iew [A.]

88 In contract I acquire a property for the sake of its particular characteri.tics and at the same tim my acqu. tion of it i governed by the inner uni ersalit w..ich t posses es partly in respect of its alue and partly because it has been the *property* of an ther If the other likes a false di.guise ma be gi en to the thi.g I ac quire so that the contract is ri ht enough so f r as i is an exchange oluntary on both .ides of *th s* t..i.g in its immediacy and un quenes but still the aspect of implicit uni ersality is lacki (H re we have an infinite judgement exp essed posit.i el o as a tautology)

89 H re ain it is in the first inst..nce onl a demand that, in c tra t with th.s accept.ance of the thi.g imply a *this* thi.g and with th mer in enti ..s and arb trariness of the will, bjec ble as all will, per

seded. [A.]

C Coercion and Crime

90 In wning p operty I place my will in an externa l thing and this implies that my will, just b bein, thus reflected in the object may be seized in and brought under compuls on. It may imply be forc d in the thing uncondit on all o may be constrained to sacrifice som thing r t do som action as a co dition of re tai.ing one r oth r of i.s posses. ons o em bodim n.s—it may b coerced. [A.]

9 As living thing m..n may be coerced, i.e h.s body o anythin, else xternal about h m m be brought under th power f thers bu th free will cann t be coerced at all (ee Para graph 5) except in so far as t fails to withdraw tself ut f the external object in which it is h ld fa.t rather out of .s dea of that object (see P ragraph) Only the will which allows itself t be oerced ca in any way be coerced.

9 Sinc is only in so far s the will has an ex

Enc [st edn.] § [3rd edn. § 73]

istence in something determinate that it is Idea or actually free and since the existent in which it has laid itself is freedom in being it follows that force or coercion is in its very conception directly self destructive because it is an expression of a will which annuls the expression or determinate existence of a will Hence force or coercion taken abstractly is wrong

93 That coercion is in its conception self destructive is exhibited in the world of reality by the fact that coercion is annulled by coercion coercion is thus shown to be not only right under certain conditions but necessary i e as a second act of coercion which is the annulment of one that has preceded

Breaking a contract by failing to carry out its stipulated terms or neglect of duty rightly owed to family or state or action in defiance of that duty is

Coercion by a schoolmaster or coercion of savages a d brutes seems at first sight to be an initial act of coercion not a second following on one that has preceded But the merely natural will is implicitly a force against the implicit Idea of freedom which must be protected against such an uncivilized will

force against it or else there is only a state of nature a state of affairs whe e mere force pr vails and ga nst w h ch the Idea establishes a right of Heroes [A]

94 Abstract right is a right to coerce because the wrong which transgresses it is an exercise of force against the existence of my freedom in an external thing The maintenance of this existent against the exercise of force therefore itself takes the form of an external act and an exercise of force annulling the force originally brought against it

To define ab tract right or right in the st ct sense at the v ry o tset as a right in the nam f which coe c n m y be used me s to fast n on it in r sult which f r t comes on the scene by the indi ect ro te of wro g [A]

95 The initial act of coercion as an exercise of force by the free agent an exercise of force which infringes the existence of freedom in its concrete sense infringes the right as right is crime—a negatively inf nite judgement in its full ense whereby not only the particular (i e the subsumption under my will of a single thing—see Paragraph 85) is negated but also the universality and infinity in the predicate mine (i e my capacity for rights) Here the negation does not come about with the co-operation of my thinking (as it does in fraud—see Paragraph 88) but in defiance of it This is the sphere of criminal law

Right the infringement of which is crime has so far only those formations which we have seen in the preceding Paragraphs hence crime also to begin with has its more precise significance in relation to these specific rights But the substance of these forms is the universal which remains the same throughout its further development and formation and consequently its infringement crime also remains the s me and accords with its concept Thus the specific characteristic of crime [in general] to be noticed in the ne t Paragraph is characteristic also of the par t cular more determ nate content in e.g perjury treason forgery coini g &c

96 It is only the will existent in an object that can suffer injury In becoming existent in something however the will enters the sphere of quantitative extension and qualitative characteristics and hence varies accordingly For this reason it makes a difference to the objective aspect of crime whether the will so objectified and its specific quality is injured throughout its entire extent and so in the infinity which is equivalent to its concept (as in murder slavery enforced religious observance &c) or whether it is injured only in a single part or in one of its qualitative characteristics and if so in which of these

The St c view that there is only one virtue and one vice the l s of Draco which p escribe death as a puni hment for every offence the crude formal cod of Honou wh ch t kes a y ins lt as an offence against th i f nity of personality all ha e this in common that they g no further than the abstract thought of the f ee ill a d p rs l ty and fail to apprehend it in the concrete and determin te existenc wh ch it must po ess as Idea

The di tinction betw robbery and th ft is quali tati e when I am r bbed pe s l v ole ce is done to m and I m i ju d in my h ter sconscio s n e ti g he e a d ow nd s as *th* inf te s bje t

M y qual tati e ch t ristics of crim e g it danger to public safety h e th i ba is in more c ncrete ci cumsta c lth ugh i the fi st i stan they al.o are oft fast ned on by th i direct r ute as conseq es t d of from the conc pt of th th g F i t nce the crim wh h tak n by itself is the more da ge s i its imm di t ch ract r i

Cf H g l *Phil sophy f H t y* pp 66 344 —F
See my [*S* *f*] *Log* [t ed] l i p 99 [E g tr l i pp 77 8]

Cf Pl t rch *Li* l f f S l —F
See P g ph 8 d R m k t I g ph 319 —F

an mj ry f m n typ In ts r g its q

th

97 The infringement of r ght as i g thing that happens and has pos t ve xistence in the extern l w ld though inher ntly t s noth ing at all. The manifestat on f its null ty is the ppearance also in the external world of the nn'hilatio of the i fringeme t This is the ght actu l d the n cess ty f the r ght medi ting itself w th its lf by nnulli g what has in fn ged it [A]

98 In s f r a the infr ngement of the r ght s o ly n jury t pos e s on or to s methi g a m l m or d m ge

done so far as any such compe at ca

fo d

rsal h

99 B t the nj ry which ha bef ll n the m pl t ll (d th s me ns the implic t will f

is rathe that hi h h s n extern l e st d h ch for th t n c n t b i ju d m h no t f vi w

es s th t t s the p rti ula w ll of the crim l H t j e [r p al e] thi pa t cu la ll w ll d te m n t ly e t nt is to a ul the ime wh ch th wis w uld ha e be n h ld lid nd t re t re the ght

Th th ry f p ni hm t f th t p cs h h h m ff w rst th re t t dy f th po t sc en f l w b se this th y th U d t ding is ffi t th es c f th matter d p ds th pt

If crim d ts lm t (h h l t will

See P g ph 3 ff —E

See P ra raph 7 d —E

See P g ph —E

th pecific ch ra t of puni hment) e tr t d s f th y w re q l fied ls t m st f rs m q t nr bl t will a vil m re ly b th e l is th re l dy T g v p ishm t this s perf cial ch ra t r f an evil is am gst the vari th ries of p nishm t th f th wh ch reg rd

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[A]

10 The njury [the p nalty] wh ch falls on the c mi al s t me ly mpl c tly just—as mh d

which eq ence he sh uld be b ught as under h s ght

As is w ll k w B c ri d dt th tate th

[E F] Kl i G d at d p l h R ht [H ll 796] §§ 9 ff

right of inflicting capital pun shment His reason was that it could not be presumed that the readiness of individuals to allow them elves to be executed was included in the social contract and that in fact the contrary would have to be assumed But the

property of members of the publ c as individuals On the contrary it is that hi her entity which even lays claim to this very life and property and de mands its sacrifice Further what is involved in the action of the criminal is not only the concept of crime the rational aspect present in crime as such whether the individual w lls it or not the aspect

due of honour unless the concept and measure of his punishment are derived f om his own act Still less does he rece ve it if he is treated either as a harmful animal who has to be made harmless or with a view to deterring a d reform g him

Moreover apart from these considerations the form in which the righting of wrong e ists in the state namely pun shment is not its only form nor is the st te a pre condition of the principle of right ing wrong [A]

101 The annulment of the crime is retribution in so far as (*a*) retribution in *conception* is an injury of the injury and (*b*) since as existent a crime is something determinate in its scope both qualitatively and quantitatively its nega tion as *existent* is similarly determinate This identity rests on the concept but it is not an equality between the specific character of the crime and that of its negation on the contrary the two injuries are equal only in respect of their implicit character i e in respect of their value

Emp ical scie ce requi es that the defi ition of a cla s concept (punishment in this ca e) sh ll be d awn f om d s vers lly p es nt t c ci us ps ch log cal experie ce This meth d v ould p ove that the unive sal feeling of nat o and i d v du ls abo t crim is and ha been th t it des rves p h ment that as th cr m l has d e so should it be done to him (There is no understand ng how these sciences h h find the sou c of their class con cepts i ideas uni rsally shared c me on othe c casions to take for gra t d p pos tions co t dic tory of like f cts of co sciou ness al o styled ni versal)

But a po t of great d fficulty has been introduced i to the idea of retribut on by the category of eq l ity though t is still true th t the justice of specific types or amounts of punishment is a furth r m tter ubsequent to the substance of th thing itself Even if to determine the later question of specif c puni h ments we had to look round for pri ciples other than tho e determining the universal character of puni hment still the l tter remains what it is The only thi g is that the concept it elf must in gen ral contain the *fu dame tal* principle for determin n the p rticular too But the determinate character given by the concept to punishment is just th t nec essary connexion between crime and punishment al

appears to the Understandin as equal ty The

only a demand a demand which the Understandi has to meet by continually increasing delimitation—a fact of the greatest importance—but v hich c n tinues *ad nfin tum* and which allo vs only of peren nially appro mate satisfaction

If e overlook this nature of the f nite and then into the bargain refuse to go beyond abstract and specific equality e are faced ith the ins p r ble d ff culty of fix ng punishme ts (especi lly if psy chology adduces in addition the strength of ensual impul es and consequ tially either the greater st ength of the e il will o the greater weakness or the restricted f eedom of the will as such—we m y ch ose wh ch we plea e) Furthermore it is e y enough from this po t f vie to exh bit the r trib utive ch acter of punishm t as an absu d ty (theft for theft robbery for robbery an eye f r an eye a tooth for a tooth—a d then you can g on t suppose that the crim l has o ly o e eye or no teeth) But the concept has nothing to do ith this absurd ty f r v h ch indeed the i troduct o of th s specific equality is olely to bl me Value as th in ner eq lity f th gs which in their outward exi t ence are specif cally d ff re t from one anoth r in every way is a cat gory wh ch h s app ed already in conne ion v th contracts (s e Paragraph 77) a d als con on ith nju th t r the subject of ci il s ts (s e R m k t I r graph 98) a l by means of it ou id a f a th g is raised bo its immed te characte to its uni ersal ty In crime as th t h h is charact ri d at bottom by the in f ite a pe t of the d e l the pu ely t rnal spe if c cha acter i hes all th m l vio ly ndequal ity rema s th fundamental regul t r f the e sen ti l thing t wit the d erts f th r minal though not for the pec f c e t rnal form whi h th pay ment of th se deserts may take It i ly i r pect f that fo m th t th re is r l ineq l ty between theft a d bbery th h l and f nes im prisonm t &c o th oth r I e pect of the r val e howe e i e in respect of th ir u i e sal

All edit ha P rag ph 95 —Ed
See P gr ph —E

property. If they are crimes, they are comparable. Thus, as was said above, it is a matter for the Understanding to look for something approximately equal to their "value" in this sense. If the intrinsic connexion of crime and its negation, and if also the thought of value and the commensurability of crime and punishment in respect of their value are not apprehended, then it may become possible to see in punishment proper only an "arbitrary" connexion of an evil with an unlawful action. [A]

102. The annulling of crime in this sphere where right is immediate is principally revenge, which is just in its content in so far as it is retributive. But in its form it is an act of a subjective will which can place its infinity in every act of transgression and whose justification, therefore, is in all cases contingent, while to the other party too it appears as only particular. Hence revenge, because it is a positive action of a particular will, becomes a new transgression; as thus contradictory in character, it falls into an infinite progression and descends from one generation to another *ad infinitum*.

In cases where crimes are prosecuted and punished not as *crimina publica* but as *crimina privata* (e.g. in Jewish law and Roman law, theft and robbery; in English law to this day certain crimes, &c.) punishment is in principle at least to some extent, revenge. There is a difference between private revenge and the revenge of heroes, knights-errant, &c., which is part of the founding of states. [A]

103. The demand that this contradiction, which is present here in the manner in which wrong is annulled, be resolved like contradictions in the case of other types of wrong (see Paragraphs 86, 89) is the demand for a justice freed from subjective interest and a subjective form and no longer contingent on might, i.e. it is the demand for justice not as revenge but as punishment. Fundamentally, this implies the demand for a will which, though particular and subjective, yet wills the universal as such. But this concept of *Morality* is not simply something demanded; it has emerged in the course of this movement itself.

Transition from Right to Morality

104. That is to say, crime, and justice in the form of revenge, display (i) the shape which the will's development takes when it has passed over into the distinction between the universal implicit will and the single will explicitly in opposition to the universal; and (ii) the fact that the universal will, returning into itself through superseding this opposition, has now itself become actual and explicit. In this way the right, upheld in face of the explicitly independent single will, is and is recognized as actual on the strength of its necessity. At the same time, however, the external formation which the will has here is also a step forward in the inner determination of the will by the concept. The will's immanent realization in accordance with its concept is the process whereby it supersedes its implicit level and the form of immediacy in which it begins and which is the shape it assumes in abstract right (see Remark to Paragraph 21), i.e. it means that it first posits itself in the opposition between the implicit universal will and the single explicitly independent will, and then, through the supersession of this opposition (through the negation of the negation), it determines itself in its existence as a will, so that it is a free will not only in itself but for itself also, i.e. it determines itself as self-related negativity. Its personality—and in abstract right the will is personality and no more—now has for its object the will's own subjectivity. The infinite subjectivity of freedom, in this way, is the principle of the moral standpoint.

Let us look back more closely over the moments through which the concept of freedom develops itself from the will's determinate character as originally abstract to its character as self-related, and so to its self-determination as subjectivity. In property, this determinate character is the abstract one "mine", and is therefore found in an external thing. In contract, "mine" is mediated by the wills of the parties and means only something common. In wrong the will of the sphere of right has its abstract character of being in itself or immediacy posited as contingency through the single will, itself contingent. At the moral standpoint, this contingency itself is, as reflected in even itself, the inward contingency of the will, i.e. its subjectivity. [A]

Knox, p. 70, n. 1.

See Paragraphs 2, 3 and Addition to Paragraph 5.—Ed.

right of inflicting capital punishment His reason was that it could not be presumed that the readiness of individuals to allow themselves to be executed was included in the social contract and that in fact the contrary would have to be assumed But the state is not a contract at all (see [Remark to] Paragraph 75) nor is its fundamental essence the unconditional protection and guarantee of the life and property of members of the public as individuals On the contrary it is that higher entity which even lays claim to this very life and property and demands its sacrifice Further what is involved in the action of the criminal is not only the concept of crime the rational aspect present in crime as such whether the individual wills it or not the aspect which the state has to vindicate but also the abstract rationality of the individual's *volitio* Since that is so punishment is regarded as containing the criminal's right and hence by being punished he is honoured as a rational being He does not receive this due of honour unless the concept and measure of his punishment are derived from his own act Still less does he receive it if he is treated either as a harmful animal who has to be made harmless or with a view to deterring and reforming him

Moreover apart from these considerations the form in which the righting of wrong exists in the state namely punishment is not its only form nor is the state a precondition of the principle of righting wrong [A]

101 The annulment of the crime is retribution in so far as (*a*) retribution in *conception* is an injury of the injury and (*b*) since as existent a crime is something determinate in its scope both qualitatively and quantitatively its negation as *existent* is similarly determinate This identity rests on the concept but it is not an equality between the specific character of the crime and that of its negation on the contrary the two injuries are equal only in respect of their implicit character i e in respect of their value

cepts in id as universally shared come on oth r c ca ons to take for granted propositions contradictory of like facts of consciousness also styled universal)

But a point of great difficulty has been introduced into the idea of retribution by the category of equality though it is still true that the justice of specific types or amounts of punishment is a further matter subsequent to the substance of the thing itself Even if to determine the later question of specific punishments we had to look round for principles other than those determining the universal character of punishment still the latter remains what it is The only thing is that the concept itself must in general contain the fundamental principle for determining the particular too But the determinate character given by the concept to punishment is just that necessary connexion between crime and punishment already mentioned crime as the will which is implicitly null eo *ipso* contains its negation in itself and this negation is manifested as punishment It is this inner identity whose reflection in the external world appears to the Understanding as equality The qualitative and quantitative characteristics of crime and its annulment fall then into the sphere of externality In any case no absolute determinacy is possible in this sphere (compare Paragraph 49) in the field of the finite absolute determinacy remains only a demand a demand which the Understanding has to meet by continually increasing delimitation—a fact of the greatest importance—but which continues *ad infinitum* and which allows only of perennially approximate satisfaction

If we overlook this nature of the finite and th n

chology adduces in addition the strength of sensual impulses and consequentially either the greater strength of the evil will or the greater weakness or the restricted freedom of the will as such—we may choose which we please) Furthermore it is easy enough from this point of view to exhibit the retributive character of punishment as an absurdity (theft for theft robbery for robbery an eye for an eye a tooth for a tooth— and then you can go on to suppose that the criminal has only one eye or n

ner equality of things which in their outward existence are specifically different from one another in every way is a category which has appeared already in connexion with contracts (see Paragraph 77) and also in connexion with injuries that are the subject of civil suits (see Remark to Paragraph 98) and by means of it our idea of a thing is raised above its immediate character to its universality In crime as that which is characterized at bottom by the infinite aspect of the deed the purely external specific character vanishes all the more obviously and equality remains the fundamental regulator of the essential thing to wit the deserts of the criminal though not for the specific external form which the payment of those deserts may take It is only in respect of that form that there is plain inequality between theft and robbery on the one hand and fines imprisonment &c on the other In respect of their value however i e in respect of their universal

All ed t ha P g ph 95 —L
See P rag ph —Ed

109 This form of all willing primarily n ol es m ccordance with ts general charact r (a) the oppos tion of subjecti ty and obje ti ty and (b) the acti ty (ee P r raph 8) elated to this ppositio Now ex te e and pec fic de -- dent cal n the c cept of the will

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a.d even a.cribing m P a.d (b) establishing them s identical I the will which self-determining ( ) its pecific determinacy is in th first place established in the will itself by t elf a ts i er p rt cularıza tion as o tent whi h t gı e to it. If Th s i th first negatio and the formal lım tatı (G ent) f this negati n s that of be g ly -- pos t d s m thing ubjecti e (β) As

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these oppo tes a d indiff e t t m n l distinctio f oppo..ition. In h rt t s my aim [the purpose willed]

B it at the tandpo t f m rality wh re

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1 (b) Th ugh the o te t does ha e in it mething part ul whenc oeve t m y be d rived t ll t is th c t t f th will efl t d int t lf in t d terminacy and thus of the self denti al and uni rsal will and th ef r

( ) the c t t inw dly chara teriz d as dequat t th prin pl f the will pos ing th bjectı ty f the oncept

(β) m the bj cti e will aw of it D-

not be adequate to the concept.

11 (c) Since in carry ng out my aims I retain my subject ty (see Paragraph 110) during this p ocess of objectifying them I sim ltane ou.ly supe sede the mmediacy of th s subjec ti ty as well as its character as this my indi id ual ubj ct ty But the external subjecti ty whi h is thus identical w th me is the will of othe s (see Pa agraph 73) The will s ground of ex tence is now s bject ity (see Paragraph o6) and the w ll of others is that existence which I gı e to my aim and wh ch is at the same tim to m an other The achievement of my a m theref re impl es this id ntity of my will w th the w ll of others it has a pos ti e ı h will of others

( ) m thing (see Par graph o9)

(β) deq t t th co ept (see P ragraph)

(γ) ri er al bjecti ty

Th bjecti ty which maintains tself in this b jecti ty consists

( ) in th f ct th t th bjecti e aim is min so that in t I maintain myself as *this* di dual (see

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b- ted ct f

m re part cularl which c ns (see this pher ts chara t as m re ppe ra m t f this ta d d nth

1 3 The xternalizat o f the s bject e r m ral will s a t o Act o implies the determi nat ha a teristics h re indi ated

( ) in t externality it must be known t me as *my* a tion

(β) t m st be r e se t ally o the co cept a an ught [see Paragraph 13]

(γ) t mu.t ha e n es ntial bearing o the will f thers

h ext rnalizati f th

See Rem k P ragraph 3 —E
See Ad l ie P ra raph —E

All editi ns read —E

SECOND PART

MORALITY

105 The standpoint of morality is the standpoint of the will which is infinite not merely in itself but for itself (see Paragraph 104) In contrast with the will s implicit being with its im m d d h d —

its identity makes the person into the subject

106 It is as subjectivity that the concept has now been determined and since subjectivity is distinct from the concept as such i e from the implicit principle of the will and since furthermore it is at the same time the will of the subject as a single individual aware of himself (i e still has immediacy in him) it constitutes the determinate *existence* of the concept In this way a higher ground has been assigned to freedom the Idea s existential aspect or its moment of reality is now the subjectivity of the will Only in the will as subjective can freedom or the implicit principle of the will be actual

The second phere Morality therefore thr ughout portrays the real a pect of the conc pt of freedom and the movement of th s sphere is as f llows the will which at the start is a are only of its independence and wh ch befo e it is med ated i ly implicitly identical with the universal will or the principle of the will is ra sed beyond its [e plic t] d fference from the universal will beyond th s tu atio in wh ch it s ks de per and d pe i to it elf a d is est bl sh d as expl c tly id ntical with the pr c pl f the will This p ocess i ac rdin ly the cultivation of the g ound in wh ch freedom n w set i e subject ity What happens is th t ubjectivity which is ab tract at the start i e dist ct f om the co cept becomes l ke ed to it d there by the Idea acquire ts genuine re l zat on The result is that the subjecti e w ll determi es tself as obj ctive too and so as truly concrete [A]

107 The self determination of the will is at the same time a moment in the concept of the will and subjectivity is not merely its existential aspect but its own determinate character (see Paragraph 104) The will aware of its freedom

S Pa ag ph 9 —E

and determined as subjective is at the start concept alone but it elf has determinate existence in order to exist as Idea The moral standpoint therefore takes shape as the right of the subjec

present to itself there as something subjective

The same p ocess through w h ch the moral atti tude develops (see the Remark to th p ec d n Paragraph) has from this point of ie the form of be g the development of the right of the subjective

will s own universal ty [A]

108 The subjective will directly aware of it self and distinguished from the principle of the will (see Remark to Paragraph 106) is therefore abstract restricted and formal But not merely is subjectivity itself formal in addition as the infinite elf determination of the will it constitutes the form of all willing In this its first appearance in the single will this form has not yet been established as identical with the concept of the will and therefore the moral point of view is that of relation of ought to be or demand And since the elf-d fference of subjectivity involves at the same time the character of being oppo ed to objecti ity as external fact it follows that the point of view of consciousness comes on the scene here too (ee Paragraph 8) The general point of view here is that of the will s elf difference finitude and appearance

The m l i t h ra t ed pr m ril by its h g al e dy been oppo ed to th imm ral nor i right dir ctly characteri ed by it ppo ti n to ron The point i rather th t th g ral ch rac teri t c of mor l ty an l imm r lity l k e t th subje t ity of the w ll [A]

See P g ph 9 —F
Se l g ph 5 6 and 11 —Ed
Se P raph 7 —E

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Sub sect on II

INTENTION AND WELFARE

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tain d a d r h ed in th action const t t s b
jecti e f e dom n its mo e c ete sense the
ght f th subject to find his sati f ction n the
t [A]

See R k to Paragraph 6—E

mand in its fundamental character is only prohibition (see Paragraph 38) In contract and wrong the s the her f

u ere on the will of the other is as a matter of rights something negative i e one party retains h s pr p erty (the value of it) and allows the other to retain his On the other hand crime in its aspect as issuing from the subjective will and the question of the mode of its existence in that will come before us now for consideration for the first time

Th f

only some of the moments f a mor l action proper and contains them only incidentally The aspect of an action in virtue of which it is properly mo al is the efore distinct from its a pect as legal

114 The right of the moral will involves three aspects

(*a*) The abstract or formal right of action the right that the content of the action as carried out in immediate existence shall b in principle m h h h

o

inner content (*a*) as I am aware of it in its general character my awareness of this general character constitute the worth of the action and the reason I think good to do it—in short my *Intention* (*β*) Its content is my special aim the aim of my particular merely individual existence i e *Welfare*

(*c*) This content (as something which is inward and which yet at the same time is raised to its universality as to absolute objectivity) is the absolute end of the will the *Good*—with the opp

Sub section I

PURPOSE AND RESPONSIBILITY

115 The finitude of the subjective will in the immediacy of acting consi ts directly in this that its action *presupposes* an external object with a complex environment The deed sets up

cate mine belongs to the state of affairs o altered

An e ent a s t t on h ch has been produced is a c nc te e ternal actualit h ch becau e f its

See F m k t Pa g ph s 2—Ed

concreteness has in it an indetermi able mult pl city of factors Any and every sin l element wh ch appears as the condition ground or cause of one uch factor and so has contributed its share to the event in question may be looked upon as re ponsibl f r the event or at least as sharing the re ponsib l ty for it Hence in the ca e of a complex event (g the French Revolution) it is open to the ab tract Understanding to choose which of an endl ss number of factors it will maintain to be responsible for it [A]

116 It is of course not my own doin if damage is caused to others by things whose owner I am and which as external objects stand and are effective in manifold connexions with other things (as may also be the case with my self as a bodily mechanism or as a living thing) This damage however is to some extent chargeable to me because the things that cause it are in principle mine although it is true that they are subject to my control vigilance &c only to an extent varying with their pecial character

117 The freely acting will in directing its aim on the state of affairs confronting it has an idea of the attendant circumstances But because the will is finite since this state of affairs is presupposed the objective phenomenon is contingent so far as the will is concerned and may contain omething other than what the will s idea of it contains The will s right however is to recognize as its action and to accept re ponsibility for only those presuppositions of the deed of which it was conscious in its aim and those aspects of the deed which were contained in its purpose The deed can be imputed to me only if my will is responsible for it—this is the right to know [A]

118 Further action is translated into external fact and external fact has connexions in the field of external necessity through which it d velops itself in all directions Hence action has a multitude of consequences The e con equences are the outward form whose inner soul is the aim of the action and thus they are the con equences *of the action* they belong to the action At the same time however the action as the aim posited in the external world has be come the prey of external forces which attach to it something totally d fferent from what it is explicitly and drive it on into al en and distant con equences Thus the will has the right to repudiate the imputation of all con equen es except the first ince it alone as purpo ed

To d t rm ne which results are acci l tal a wh ch es ry is impo ible beca se the n ces ty implicit i the finite c mes l to d t rm nate e l t

ence as an external ecessity as r latı f si le things to one an ther things wh h as self bsist ent are co j ined in indiff re ce t th nd externally Th maxim "Ign re th conseq ences f and th ther J dge ctions b thei co f ri ht nd

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Th devel pment in th t nal w ld f th co

part f th crime.
Th self-con ciousness f h oes (li e that f Oe pus d thers in G eek tragedy) h d not dvan h t flecti

objecti ty of a ti n is the r g t u to evin e tself as known and willed by the subject as th ker

This right t insight f this kind tails the com

Sub-sect on II

INTENTION AND WELFARE

9 An ct a an xt rnal ent s com pl f nn ted parts whi h may be eg ded as di ded int un t d f t m d th c t may be t t d as ha ing t ch d in the first instan e only e f these units Th truth f th ingl h wever is th uni rsal and what xplicitly gi es ct ts pecifi haracter is t an i lated o t nt lim t d t an xt rnal

sal side f the cti n, th intent n.

E ym logically *Absicht* (intenti) implies b tract either the f rm f uni ersal ty th racti f particular aspect f th cret thing. Th dea ur t justify ct by th inte tio behind t in lves th lati f th f ts gle aspects hich is alleged t be th essence f

See Rema k Paragra h 6—Ed.

1 The uni rsal qu lity of th a tion is th manif ld c tent f the tion as such, red ced to the simple f rm of uni ersality But the subj ct, an entity reflect d int himself and o pa

jecti e freedom in it m e oncr te sense the ri ht f th subje t t find his satisfacti n in the acti n. [A.]

mand in its fundamental character is only prohibition (see Paragraph 38) In contract and wrong there is the beginning of a bearing on the will of oth
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h s On the othe hand crime in its a pect as iss ng from the subjective will and the question of the mode of its existence in that will come before us now for consideration for the first time

The content of an act on at law (*actio*) as something determi ed by legal enactment is not imputable to me Con equently such n act on conta ns
l m — —

therefore distinct from its aspect as l gal

114 The right of the moral will involves three aspects

(*a*) The abstract or formal right of action the right that the content of the action as carried out in immediate existence shall be in principle mine that thus the action shall be the *Purpose* of the subjective will

(*b*) The particular aspect of the action is its inner content (α) as I am aware of it in its general character my awareness of this general character constitutes the worth of the action and the reason I think good to do it—in short my *Intention* (β) Its content is my special aim the aim of my particular merely individual existence i e *Welfare*

(*c*) This content (as something which is inward and which yet at the same time is raised to its universality as to absolute objectivity) is the absolute end of the will the *Good*—with the opposition in the sphere of reflection of *subjective* universality which is now wickedness and now conscience [A]

Sub section I

PURPOSE AND RESPONSIBILITY

115 The finitude of the subjective will in the immediacy of acting consi ts directly in this that its action *presupposes* an external object with a complex environment The deed sets up an alteration in this state of affairs confronting the will and my will has re ponsibility in general for its deed in so far as the abstract predicate mine belongs to the state of affairs o altered

An e e t a s tuation h ch has been p oduc d is a c crete te n l actu l ty wh ch because of its concreteness has in it an indeterminable multiplicity of factors Any and every sin le element which appears as the condition ground or cause of one such factor and so has contributed its share to the e ent in question may be looked upon as responsibl for the event or at least as sharing the re pons bil ty f

it [A]

116 It is of course not my own doin if damage is caused to others by things whose owner I am and which as external objects stand and are effective in manifold connexions with other things (as may also be the case with my self as a bodily mechanism or as a living thing) This damage however is to some extent chargeable to me because the things that cause it are in principle mine although it is true that they are subject to my control vigilance &c only to an extent varying with their pecial character

117 The freely acting will in directing its aim on the state of affairs confronting it has an idea of the attendant circumstances But because the will is finite since this state of affairs is presupposed the objective phenomenon is contingent so far as the will is concerned and may contain omething other than what the will s idea of it contains The will s right however i to recognize as its action and to accept re ponsibility for only those presuppositions of the deed of which it was conscious in its aim and those aspects of the deed which were contained in its purpose The deed can be imputed to me only if my will is responsible for it—this is the right to know [A]

118 Further action is translated into external fact and external fact has connexions in the field of external necessity through which it develops it elf in all directions Hence action has a multitude of consequences These consequences are the outward form whose inner soul is the aim of the action and thus they are the consequences *of the action* they belong to the action At the same time however the action as the aim posited in the external world has become the prey of external forces which attach to it something totally d fferent from what it is explicitly and drive it on into alien and distant consequences Thus the will has the right to repudiate the imputation of all con equen es except the f rst since it alone was purpo ed

To d t rm which res lts r accrd t l an wh ch rs y is mpo bl beca se th n ces ty implicit n the finite mes into det m te t

See P m k t P g ph 113 —L

particular co tent—welfa e is eflected into it
d o stands related to the uni

these ends of part cularity ui
fr m the universal may be in c formity with
t, but they al. may not

1 6 My particularity however like that f
...ers is ly a right at all in o f r as I m a
f ee entity Th refo t may not m k claims
fo ts lf in c tradicti t this t s b t ntu e
b..si and a inte t to ecu e my w lfa or
tha of .h rs (d t is partic la ly in th s lat
ter ca that u h an intentu n s alled 'moral)
cannot justify n ct n wh h wr ng

t chi dramati p d ti ns b t t) as
bee resuscitated in m extravagant f rm and
mn thusia m d th heart th f rm f par
ticularity as h h be m d th cr t f
right rat ht d cell Th es lt is th t
crim d th th ght th t lead t t beth f cies

h re m d t l re gi)
I cid tall h we ttent m t b paid t
th poin f w from wh ch ri ht d w lf re
being treated h re W cons d ring ri.ht as b
ract right nd w lf re as th p rt cula w lf re f
th sin gent. Th so called g l g od th
w lfare f th t t th right f mind et l d
concr t is qui diff t sph sph re which
bstract ri.h is b rdi t m m t lik p rt cu
la welf re and h h pp es f th indi d al A
'as rem ked bo 'e t is f th mm est
bl d rs f bstra t th kin t mak p t ht
d p 'at w lfare cou.t as b l t in pposita
th m 'sa.. f th stat [A.]

7 Th part ularity of th in es s of the
natural ill, taken in their entirety a single

See the R... k to P ragra h —I.

whole is personal existence or life In extreme
da ger and in confl ct with the rightful property
of someone else th s l fe may claim (as a right
not a mercy) a ight of distre s becau e in such
a situ ti n there is on the one hand an infin te
njury to a man ex tence and the consequent
lo s of rights altogethe and on the othe ha d
nly an injury to a i le restricted embod ment
of freedom and this implies a recognit o both
of right s s ch and also of the inju ed man s
capac ty fo rights because the injury affects
only *thi* property of his

Th ri ht f di.tress is th basis f *b* *fici m m*
ent wh b d b is llowed t retain f his
short f
m ch
tin t
his vn

ocat i t.

1 8 This d t ess r veals the finitude and
the ef re the c ntingency of both ght and wel
fare f ght as the bstract embodime t f
f eedom witho t mbod ing the part cular per
o a d f welfa a the phe e f the particu
l

pos es eu

06) determin d ts mbodim t th part cu
l will d ubjecti ty in it p rt cul ty as
c mp he s wh le is it.elf the *embod*
me t of f dom (see Paragraph 1 7) while a
the infinite relatio of the will to tself it is
impl citly th *unive al* elem t i f ed m.
The tw m me ts present in right a d subjec
ti ty th s integrated a d attaining the truth
th r id tity th u h in the fi t in tan till
mainin *l t e* to e othe a (*a*) the
go d (s the co c ete bs l tely det rmin te
uni ersal) a d (*b*) c n. ce (s infi te ub
j t ity w dly con cious and inwa dly d
term ning ts co tent)

Sub- ect on III

GOOD AND CONSCIENCE

129 Th good s the Idea as th un ty of the
con ept of th will w th the particular will. In
thi nity bstr ct right welfa e th subjecti
ity f kn wi g and th co tingency of ext rnal
f t h their independent self sub i.tence
supers d d tho gh at the same tim they
still c tained d etained within t in th
ess nce The good is thus f d m ealized th
absol t d nd aim f th w ld. [A]

1 It is on the strength of this particular as pect that the action has subjective worth or in terest for me In contrast with this *end*—the content of the intention—the direct character of the action in its further content is reduced to a *means* In so far as such an end is some thing finite it may in its turn be reduced to a means to some further intention and so on *ad infinitum*

1 3 For the content of these ends nothing is *available at this* point except (α) pure activity itself i e the activity present owing to the fact that the subject puts himself into whatever he is to look upon and promote as his end Men are willing to be *active* in pursuit of what interests them or should interest them as something which is their own (β) A more determinate content however the still abstract and formal freedom of subjectivity possesses only in its natural subjective embodiment i e in needs in clinations passions opinions fancies &c The satisfaction of these is welfare or happiness both in general and in its particular species—the ends of the whole sphere of finitude

Here—the standpoint of relation (see Paragraph 108) when the subject is characterized by his self d fference and so cou ts as a particular—is the place w h re the content of the natural w ll (see Paragraph 11) comes on the scene But the will here is not as it is in its immediacy on the contrary this content now belongs to a will reflected into itself and so is elevated to become a universal end the end of wel fare or happ ness this h pp s at the level of the th k g which does not yet apprehend the will in its fr edom but reflect on its content as on one natural and given—the level for example of the time of Croesus and Solon [A]

124 Since the subjective satisfaction of the individual himself (including the recognition which he receives by way of honour and fame) is also part and parcel of the achievement of ends of ab olute worth it follows that the de mand that such an end alone shall appear as willed and attained like the view that in will ing objective and subjective ends are mutually exclusive is an empty dogmatism of the ab stract Understanding And this dogmatism is more than empty it is pernicious if it passes into the assertion that becau e subjective satis faction is pre ent as it always is when any task is brought to completion it is what the agent intended in essence to secure and that the objec tive end was in his eyes only a means to that —What the subject is is the series of his actions If these are a eries of worthle s productions then the subjectivity of hi willin is ju t as worthless But if the series of his deeds is of a substantive nature then the same is true also of the individual s inner will

The right of the subject s particularity his right to be sati f ed or in other word the right of sub-jective freedom is the pivot and centre of the d f ference between antiquity and modern times This right in its inf nity is given e pre n in Christian ity and it has become the universal effective prin c ple of a new form of civ l ation Amon st the primary shapes wh ch this right a sumes are love romantici m the quest for the eternal sal ation of the individual &c next come moral c nvicti s and con cience and f ally the other forms s me of which come into promi ence in w hat f llo s as the principle of civ l society and as m me ts in the constitut on of the stat w hile others app ar in the course of h story pa ticularly the h tory of art scie ce and philos phy

No this principle of part cularity is, to be re one moment of the ant thesis and in the f rst pl ce at least it is just as much identical with the univer al as d st ct from it Abstract reflecti hov e er fi es this moment in its d stinction fr m and op pos t on to the universal and so produces a ie of mor l ty as nothing but a b tt r unending tru le against self satisfactio as the command Do with abhorrence w hat duty enjoins

It is just this type of ratiocin tio which ad luces tl at fam l ar psycholog c l vie of history w h ch u derstands how to b l ttle and di parage all g eat deeds and great men by transform g into the ma n intention nd operati e motive of acti ns th in cl t ons and p ssions which like ise fou d th ir satisfaction f om the achie ement of omething ub stantive the fame and honour &c co equ ntial n su h actions in word their p rticular a pect the aspect w h ch it has dec eed in ad ance to b me th g in itself pe nicious Such r tiocin tion as ures *us that h l great acti ns and the fi ciency wh ch* has s b isted th ugh a ries f them ha e pro duced gre t ess in the orld a d h ve h d s th ir con equences fo the ind v dual age t p wer h our and fame st ll what b l g to the ind duali not the g e t ess itself but h t h accrued to him from it th s p r ly pa t cul r and tern l re It

subjecti side of gr at men sinc it itself st nds on purely subjective g ound and co equently it o r lo ks wh t is subst ntive l this mptiness f its ow makin This is the ev of those l t psy chol gists for whom there are no l roes not be cau e th e are no heroes b t beca se these psy chologists are only valets [A]

125 The subjective element of the will with its

E [1 t ed] § 395 ff [3 d ed §§ 478 ff]
Cf Herod t s I 30–3 —E

See P rag phs ff—E
Ph m l gy [1 t ed] p 616 [E g t p 673]

he typifies but t tch but the uni versal in that square ed, f th will, th nks t Kant philosophy ha fied, t.e h ose as wh) a subject h is w it firm f dati nd st rtin point f r th neither t. single existent f this m ment f tim f t t
f re eng If h were

b
g

m so ru tum
Th sphere in which these extenuatin circum stances com int cons erati as gro ds f th mitiga f punishm t is sphe th than that f rights th sphere f pard

wh th t is ts t d u
this means y wro imm ral line f co d ct m y b just fi d.
m lat th possibility f is d t ct dy

33 Th part cular s bject s elated to the good as t the es ence f his will a d hen e h s

m ti ed.
Th b e ce f property co tair in itself ju t as little co tradicti as th -existence f this th t ti f mily &c. o th death f th wh l
th

duty is thus b t act a d uni ersal n char ter
it h uld be do e f duty's sake [A]

lf of thers (see P r gr ph 9) [A]

135 The pe fic d t es how r a e not tained in th d finit o of d ty t elf but s nc both f them a co dit d d stnct ed, they p bri g bo t th tra s t on t the higher sph re of th un onditio ed the ph r f dut D ty t lf in th m ral lf n cio s- n s is the es o th uni ersality f that con ciou es th way in whi h t inw dly

(

H wev essenti l t is t gi promin ce t th pure d ti ed self-det rmin t f th w ll th oot f d ty and t th w y in hich kn wl

[A]

See P ragraph 8 —E
See P ragra h 3 —Ep
T he h P ra raph s —E

Cf Ka t C qu f P tical R on A lytic. Ch p i ec ions -o —k.
[t edn.] pp 55 ff [E t pp 6 5 ff] Cf Exc
[edn.] § 4 ff [3 d ed §§ 5 ff]

130 In th Id w 1f h
vali
lar
tially as universal in principle i e as according with freedom Welfare without right is not a good Similarly right without welfare is not the good *fiat justitia* should not be followed by *pereat mundus* Consequently since the good must of necessity be actualized through the par
t l ll d

fare If either of these moments becomes distinguished from the good it has validity only in so far as it accords with the good and is subordinated to it

1 1 For the subjective will the good and the good alone is the essential and the subjective will has value and dignity only in so far as its insight and intention accord with the good Inasmuch as the good is at this point still only this *abstract* Idea of good the subjective will has not yet been caught up into it and established as according with it Consequently it stands in a

u u 2 t com pletely while the good on its side has in the subjective will its only means of stepping into actuality [A]

132 The right of the subjective will is that whatever it is to recognize as valid shall be seen by it as good and that an action as its aim entering upon external objectivity shall be im

ity

The g od is in pri c ple the e sence of the w ll in its ubstant l ty and u i sal ty i e of the will in its truth and ther fo e it e ts s mply a d sol ly i th king nd by means f thinki g Hence r tions such as man can t know th truth but has to do only with ph nomena o thi king injures the g od will are dogm d p i i mind not only of intellectual but also of all eth cal worth nd dignity

The right f givi g r cognition o ly to wh t my insight sees as rational is the h gh st right f the subject alth gh o i g t its subject ve ch acter it re m s a form l right agai t t the right wh ch reason qua the objecti e po s s o er the s bj ct remains firmly established

On account of its formal cha act r in ight is capable equally of be true and of be g me e p nion and error Th ind vidual s acquisition of this right of ins ght is on the pri c ples of the phere wh ch is still moral only part and parcel of his particular

subjective education I may demand from myself

te of an action as good permitted or forbidden and so about its imputability in respect of this character this in no way detracts from the r ght of objectivity

This right of ins ght i to the good is distinct from the right of insight in respect of action as such (see p

into what is recognized as r ght and it is restricted to its elementary meaning i e to knowledge in the sense of acqua ntance with what is legal and to that e tent obl gatory By means of the publ city of the laws and the u iver ality of manners the state removes from the r ght of insight its formal aspect and the cont gency wh ch it still reta s f the subject at the l vel of moral ty The subject s right

cil ty &c or their d g ee of irrespon ib l ty But to tu n momentary bl ndnes the go d of passion in t xic tion or in a wo d what is called the str ngth of sensu l impul e (exclud g imp lses wh ch a e the b s of the right of di tress—see Paragraph 127) into e so s when th imputation specif c ch acter and culp b l ty of a crime are in que t and to look pon such circumst nces as if they took away the crimi al s guilt aga means (mpa e Paragraph 100 and the Remark to Paragr ph 120) f il g to treat the cr m l in accorda ce with the r ght a d ho o r due to him as a m f r the nat e of m n co s sts p cisely in the f ct that h is essentially s meth g niversal not a bei g whose k owl dge is an abstractly mom nt y an l p c me l ff ir

Ju t as h t the in endiary re lly s ts on fire is not the is lated q i ch of wooden su f c t which

See P graph 51 —Tr
See R m k t l graph —T
All ed t ead 9 —T

[illegible]

... the individual ... does evil, the evil is wholly and simply his own responsibility. [A.]

... L. every end ... self-conscious subject ... there is ... aspect (see Paragraph ...) necessarily present because the end is what is proposed in ... concrete ... action. This aspect he knows how ... and emphasize and he may then proceed ... regard as ...

See Paragraphs ... and the Remark ... Paragraph ... — E.

I.e., the self-will mentioned in Paragraph ... — Ed.

[illegible]

... If ... pour ...

... a ... sinner

See Paragraph ...

Proverbius Lat ...

137 True conscience is the disposition to will what is absolutely good. It therefore has fixed principles and it is aware of these as its explicit

will which as *this* will has no special content of its own But the objective system of these principles and duties and the union of subjective knowing with this system is not present until we come to the standpoint of ethical life Here at the abstract standpoint of morality conscience lacks this objective content and so its explicit character is that of infinite abstract self certainty which at the same time is for this very reason the self certainty of *this* subject

Conscience is the expression of the absolute title of subjective self consciousness to know in itself and from within itself what is right and obligatory to give recognition only to what it thus knows as good and at the same time to maintain that whatever in this way it knows and wills is in truth right and obligatory Conscience as this unity of subjective knowing with what is absolute is a sanctuary which it would be sacrilege to violate But whether the conscience of a specific individual corresponds with this Idea of conscience or whether what it takes or declares to be good is actually so is ascertainable only from the content of the good it seeks to realize What is right and obligatory is the absolutely rational element in the will s volitions and therefore it is not in essence the *particular* property of an individual and its form is not that of feeling or any other private (i e sensuous) type of knowing but essentially that of universals determined by thought i e the form of laws and principles Conscience is therefore subject to the judgement of its truth or falsity and when it appeals only to itself for a decision it is directly at variance with what it wishes to be namely the rule for a mode of conduct which is rational absolutely valid and universal For this reason the state cannot give recognition to conscience in its private form as subjective knowing any more than science can grant validity to subjective opinion dogmatism and the appeal to subjective opinion In true conscience its elements are not different but they may become so and it is the determining element the subjectivity of willing and knowing which can sever itself from the true content of conscience establish its own independence and reduce that content to a form and a show The ambiguity in conscience lies therefore in this it is presupposed to mean the *identity* of subjective knowing and willing with the true

other and to obviate the possible misunderstanding that here where it is only formal conscience that is under consideration the argument is about true conscience The latter is part of the ethical disposition which comes before us for the first time in the following section —The religious conscience however does not belong to this sphere at all [A]

138 This subjectivity *qua* abstract self determination and pure certainty of oneself alone as readily evaporates into itself the whole determinate character of right duty and existence as it remains both the power to judge to determine from within itself alone what is good in respect of any content and also the power to which the good at first only an ideal and an ought to be owes its actuality

The self consciousness which has attained this absolute reflection into itself knows itself in this reflection to be the kind of consciousness which is and should be beyond the reach of every existent and given specific determination As one of the commoner features of history (e g in Socrates the Stoics and others) the tendency to look deeper into oneself and to know and determine from within oneself what is right and good appears in ages when what is recognized as right and good in contemporary manners cannot satisfy the will of better men When the existing world of freedom has become faithless to the will of better men that will fails to find itself in the duties there recognized and must try to find in the ideal world of the inner life alone the harmony which actuality has lost Once self consciousness has grasped and secured its formal right in this way everything depends on the character of the content which it gives to itself [A]

139 Once self consciousness has reduced all otherwise valid duties to emptiness and itself to the sheer inwardness of the will it has become the potentiality of either making the absolutely universal its principle or equally well of elevating above the universal the self will of private particularity taking that as its principle and realizing it through its actions i e it has become potentially evil

To have a conscience if conscience is only formal subjectivity is simply to be on the verge of slipping into evil in independent self certainty with its independence of knowledge and decision both morality and evil have their common root

The origin of evil in general is to be found in the mystery of freedom (i e in the peculiar aspect of freedom) the mystery whereby freedom of ne

to that identity alone

See Paragraph 68 —F
See [illegible] 79 [illegible] 1343 —Fo

uld seem t be which f these des f th acts is really th essential ? This bjecti q esti h wever here t I pla rath t is the subjecti conse usness al h sedecs constit tes bjecti ty t this point Besides, esse tial and good mean th sam thing is j t as m ch an bstracti as th ther Good is that which is essential respect f th ill d th esse tial i this respect h uld be p ecisely this, that my ctio be characterized as good in my eyes. B t th subsumpti und th good f an tent pl ases is th direct and pl cit result f th f ct that this b tract good is t taly d od f co t t and so is simply re d ced t meaning thing positi i t som thi wh h is alid f m som singl point f new and which in its immediat ch ract may ev be alid an essential d as f exampl t d good t th poo t tak th ght f myself my lif m family d so f rth Further just as th good th bstract so th bad t must be with t te t and d ri ts specificati from my bjecti ty and t is in this way also that th re rises th m ral end f h ting and p rooting th b d th nat re f th bad being left specified.

Th ft cowa di murder and so f rth as cti ns, em ts f subjecti w ll h th h

co ret de l es the b trary will f th s bject.

T this co text there also bel gs th torious maxim 'The d justifies th mea I ts lf d prima f ci this expressi is trivial d po tless Qut m y ret rt i terms equally general, a just end f co rse justifies the m ns, whil u ju t d does t Th phrase If the end is right I gy since the m is

truly means.

B t wh someo say th t th d justifies the means, his p rport is t confined t this b ta t l gy h underst ds by th w rds som thing m re good d means t nam ly th t t use as means t

sh rt per Th re t th f the iso- q ally ill d th

Th shalt tak

w lfar f thy f mily Executi rs d sold ers m rel th right b t th d ty t kill m

h t is set p gainst such deori ed th crim f ts

nati d caprice

( ) S bjecti pini is t la t exp essly gi e t as th meas ring od f ght d d ty d t is suppo d that th ti wh ch h lds som thing t be ri ht is t decid th thical haract f

good and ha
lk l than ood, because th good willed is nly this bstract f rm f good and theref re to mak t

jecti ty has t tally disappea ed. A doctrin lik this is directly co ected with th self-styled phi losophy ft menti ed l eady wh ch d nies that th truth is kn wable—a d th truth f mind qua

The subjective right of self consciousness to know wheth
must
lute
the t
ent to one another and r lated

vers ty therefore it means fa ling to treat him w th th

u n ne with a co science more or less downright evil—all these questions are the more trivial spect of the matter the aspect ma nly concerned with the emp rical

(*b*) Evil and doing evil with a bad co sc ence however is not quite hypocrisy Into hypocrisy the ent r dd —
si
th
pearance as good c nscient ous pious and so n— conduct wh ch i these c rcumsta ces is only a trick to deceive others Seco dly however the bad man may find in h s good c nduct on other occa ons or in his piety or in a word in good re sons a justifi cation in h s own eyes fo the evil he does because he can use these reasons to pervert its appa ent

t on is permi ble and m y be don w th an easy c nscience prov d d th t th age t can hunt o t

present the correct apprehension that authority and a rea on has d

as g u Even here we must reco nize a vest ge of objectivity in the admission that it is a rea on h h

t e pucation is that it is not th s objectivity of the thing but subjec tivity wh ch has the last word This means that cap ice and self will are made the arbiters of good and evil and the result is that ethics as well as r h g ous feeling is undermined But the fact that it is private subject vity to wh ch the decision falls is one which Probabil sm does not openly avo as its p inciple on the contrary as has already been

(a) n t e stag s of subject vism the next in as cending o der is the view that the goodness of the will consists in its will g the good this *w ll g* of the abstract good is supposed to suff ce in fact to be the sole requ site to make its action good As the willing of someth g determinate acti n has a c n tent but good in the abstract d termines nothing and hence it devolves on part cula subjectivity to give this content its character and constituents Just as in P bab lism any e who is not him lf a learned *Révé e d Pè e* m y ha e the subsumption of a determi ate c nte t under the uni rsal p d cate good effected fo him by the sole authority of one such theologia so here every subj ct with out any further qual fication is invested with this ho our of givi g a c ntent to good in the ab t ct or in other w rds subsuming conte t und r a uni versal This content is nly o e of the many eleme ts in n action as a concrete whole and th thers m y perh ps entail it desc ption as crimi l and bad Th t determ ate co tent wh ch I as subject give to the good howe er s the good k own to me in the ct i e t is my g od inte tion (see Para gr ph 1 4) Thus there aris contradiction be tween descriptions acc rd ng to one the tio is good ac o d ng to the othe it is crim l H ce al

---

ppo t of k wl dg th hea t d e th s asm th t p pl f eth cal ct

intended but this in fact mu t always be the case if it is held that good in the abstract is the subject s det rmining mot ve Where wrong i d ne th gh an action which is well inte ti ned but i ther re spects criminal d bad the wrong so d must of cours al o b go d d the important quest on

So H gel s first d t All oth r d ti ns d 1 1 St tt ds 119 —E

ut th way o that. Really my being co ced as something supremely trivial if I cannot know th tr h I then t is matt f indiff enc h w I think, and all that is l ft t my thinki g is th t empty good, th bstracti t which th U d r standin red ces th good.

One th point. It f ll ws f rth this princi ple f justificati by cti that logi requires m in dealing with th wa th rs ct g inst my acti n, t dmit that they re q t th right—so far t an rat s they mai ta with faith d convicti that my cti is riminal On ch l gic,

ternal f rce

(f) Finally th suprem f rm in wh ch this b-

m th substa tiality f th Idea

Cf Plat The R public 337—E
M lleagu th l t P fesso Solge dopt d th

xi, pp 9 ff.) I fi d somewhat bscu h and

wh ch
l—our
was im plicitly p esent already in ts preceding, ms, nam l subjecti ty kn wing tself as th arb ter and j dg

price my sei usly nical tht d l ts in ing est peri h and I m rely hug myself at the tho ght.

d th f fi ty f h

p rpo ec m tical
sci es p sse se ts d k w in th te
d wh th h k g m d mp h d th

will the rationality of mind in its self actualizing process is the laws of ethics Asserting as such phi losophiz ng does that the knowledge of the true is

philosophy has thus sunk appears doubtless at a first glance to be only an affair of supreme indifference

The result of the dissemination of the view that subjective conviction and it alone decides the ethi cal character of an action is that the charge of hy pocrisy once so frequent is now rarely heard you can only qualify wickedness as hypocrisy on the as sumption that cert in actions are inherently and actually misdeeds vices and crimes and that the defaulter is necessarily aware of them as such be cause he is aware of and recognizes the principles and outward acts of piety and honesty even in the pretence to which he m sapplies them In other wo ds it was generally assumed as regards evil that it is a duty to know the good and to be aware of its distinction from evil In any case however it was an absolute injunction which forbade the commis sion of vicious and criminal actions and wh ch in sisted on such actions be ng imputed to the agent so

immorality at all for whatever a man does he can

absolutely vicious or crim nal and inst d of the abo e mentioned frank and free harde ed and unpe turbed s nner w have the man who is con scious of being fully justifi d by intention and con vict on My go d intent on in my action and my conviction of its goodness make it good We speak

of judging and estimating an *action* but on this principle it is only the intention and conviction of the agent his faith by which he ought to be judged N

This principle under which convict on is e pressly made something subjective cannot but thru t upon us the thought of poss ble error with the further implied presuppos tion of an absolute law But the law is no agent it is only the actual human bei g who acts And on the aforesaid principle the only question in estimating the v orth of human ac tions is how far he has taken up the law into his conviction But if on this theory it is not acti s which are to be judged i e measured generally by that law it is imposs ble to see what the law is for and what end it is to serve Such a law is d graded to a mere external letter in f ct to an empty word if it is only my conviction which makes it a law an l invests it with obl gatory force

Such a law m y claim its authority from God r the state It may even have behind it the authority of tens of centu ies during which it was the bond which gave men with all the r deeds and desti y

scie ce and bad sophistry c n never alt gethe e pel —adm t with a noble illogicality that error is pos s ble st ll by describing crime and ev l gen rally as only an error we minimize th fault To err is hu m n—wh has not been m staken on o e poi t or another wheth r he h d fresh r pickled cabb g f dinner yesterday and b ut innumerable other things of more or less importance? B t the diff r ence between import nce and tri iality vanishes if everythi g turns on the subj ctivity f conviction and n per i t ce in it The said n ble ill g c l ty wh ch adm ts the po sibil ty of error is ine it bl th n in the nature f the case but when it comes round t say that a wrong co iction is only an er ror it only falls into a further illogical ty th ill gi c l ty of dishonesty At o e moment v cti n is made th basis of ethics a d of man s suprem val e and is thus pronoun ed the suprem d th sacro sanct t another all we h e to d with i error and my conviction is s mething trivial d casu l in fact somethi g strictly external which may turn

THIRD PART

ETHICAL LIFE

14 Ethical life is the Idea f fr ed m in that on th o e h d t is the good become alive— the good endo ed in s lf-conscious ess with knowin and willing and a tualized by self c nscio s cti n—while o the oth r hand self c nsciousnes has in the ethical realm ts ab s l t *fou datio d the e d whi h ct tes*

143 inc thi unity f th c cept of the will with ts embodiment—i th part cul r will— *is kn ing consc usnes of the d ti ctio be* tw en these two moment of the Id is pre ent but p esent ch way th t now ea h f these m m t is in ts own e) the t tality of th Id and has that t tality as ts foundation d o t t.

44 ( ) Th obj t e eth cal o d r which m s on the en place f good in the ab- tra t is bstan mad c ete by subj cti ty as fi t f rm H ce t po ts withi it elf di ti t wh epe fi cha t is th by d t rm ed b th ept d wh h endow the th c l d w th t bl cont t ind pe dently rs d ub t t in exalt ti bov bject pini and capri These dis tin t ons b lutely alid laws d stitu tio s [A.]

145 It is the f t that th thical o d th *ist m f th se* pecifi d t rmin tions of th Idea h h c t tutes ts ti lity He th eth cal d is f d m th absolute will as h t is bject ci l f c ty wh se m m t th th l p w rs whi h regulat th lif f d duals T th pow rs di duals lat d cident t s b tanc d t in indi duals that th pow rs

See P ra raph 55 nd 6 7 —E
See P ra ra h 9 5 d 46-7 —E
See P h 5 —Ed
See P ragra hs 6 69-7 and 7 —E

represented ha e the shape of appea ance and become actualized. [A.]

146 (β) The substant al order in the self con ci us ess which it has thus actually attained k we lf d so is an object

and powe infinitely m re firmly estabus d tha the being f atu e

Th un th moo m tai s, ri ers d th nat ral bjects f ll kinds by which w re surr ded F ness th y h th th nty t f nos es n rt cu

d disc ected w y

147 On the oth r hand they a not mething alien t the ubject O the c ntr ry his sp rit

F th and trust m rg al with flecti they p es ppose th pow f f rmin deas d making distincti ns F exampl t is thing t be pag diff rent thing t beli paga reli gi n. This relati rath *this* bse ce f rel ti this d tity wh ch th th cal d is th ct al li ing so l f self-c ci u ess ca d bt pass t lati f f ith and cti and int elati p d ced by means f f rth flecti i int an *in ght* d t reasoni g t rting perhap

Se Rem k Par raph 63 —E
See Add to P ragraph 44 —E

This type of subjectivism not merely substitutes a void for the whole content of ethics right duties d l — d

absolute

In my *Phenomenology of M d* I have shown how this absolute self complacency fails to rest in a olitary worship of itself but bu lds up a sort of c mm h

ir

but is above all the refreshment derived from the glory of this self knowled e and self expression from the glory of fostering and cheri hing this ex perience I have shown also how what has been called a beaut ful soul —that st ll nobler type of subject vism which empties the objective of all con te t and fades

the entire section (C) Conscience in the *Phenomenology* especially the part dealing v ith the transi tion to a h ghe stage—a stage however there dif ferent in character [A]

Transition from Morality to Ethical Life

141 For the good as the substantial universal of freedom but as something still abstract there are therefore required determinate characteris tics of some sort and the principle for determin ing them though a principle identical with the good itself For conscience similarly as the pure ly abstract principle of determination it is re quired that its decisions shall be universal and objective If good and conscience are each kept abstract and thereby elevated to independent totalities then both become the indeterminate which ought to be determined —But the inte gration of these two relative totalities into an absolute identity has already been implicitly achieved in that this very subjectivity of pure self certainty aware in its vacuity of its gradual evaporation is identical with the abstract uni versality of the good The identity of the good

[st d] pp 6 5 ff [E g tr pp 663 ff]

with the subjective will an identity which there fore is concrete and the truth of them both is Ethical Life

The details of such a transition of the concept are

ou ht to be [but is not] and the equally abstract subjectivity which only *ought* to be good [but is not]) to have its opposite implicit within it the good its actual ty and subjectivity (the moment in which eth cal l fe is actual) the good but since they are one sided they are not yet posited in accordance with their implicit nature They become so pos ted in their negat on That is to say in their one sidedness when e ch is bent on declining to have in it what is in it impl citly—when the good is without subjectivity and a determinate character and the determining principle subjectivity is with t wh t is impl cit within it—and when both bu ld them selves into indepe dent t tal ties they are annulled and the eby reduced to moments to moments of the concept which bec mes manifest s their unity and havi g acq red r al ty precisely through this posit ing of its moments is now present as Idea—as the concept wh ch has matured its determ t ons to reality and at the same time is present in their iden tity as their impl cit es ence

The embod ment of freedom which was ( ) f rst of all immedi te as r ght is (β) characterized in th refl ction of self consci usne s as good (γ) The third stage or g nating here in its transit n f om (β) to ethical l fe as the truth of good and sub jectivity is therefo e the truth both of subject vity and right Ethical l fe is a subject ve di position but o e imbued v ith what s i he ently right The fact that this Idea is the truth f th co cept of free dom is something wh ch in phil phy must be proved not presupposed not d pted from fe l or elsewhere This demo t ation i contained only in the fact that right and the moral self conscious ess both display i th msel es their r g e ion to this Idea as th outcome Tho e who hope to be able to dispense v ith pro f and demonstration in ph lo ophy show thereby th t th y a e st ll f r from knowi g the f rst th g ab ut what philosophy is O ther topics argue they m y b t i ph losophy they have no right t jo n in the argume t if they wish t argue without the concept [A]

as strictl mean bet een excess and d ficiency Th co tent hich assumes th f rm f d ties and rt es th sam as th t wh h lso has th

rnmn t th m as g od vil. Or in in us, impulses co dered b tra tly in th ir po ti as- pect al re g d whil c ns d red b tractly in th eg ti pect al th y ar evil (se P ra graph 8) [A.]

51 But when ndi duals e s mply ide tifi d

ethical li g ppears as ec d n tu e which p t in the place f th initial p rely nat al will th ul f cust m p rme t g t th u h and thr gh the s gnifica ce d th act lity of its xist ce It s m d li g and p e ent s a wo ld, and the s b tan f mi d th s exists w fo th first time mi d. [A]

h ra t thical h gnizes as th d hi h m h m t act th uni rs l wh ch is itself unmo ed b t di l sed its spe fi d termi t ns as ration lity tualized H kn w th t hi wn dignity and th wh l tab lity of hi pa t ula ds gr unded in th sam un rsal d t th in th t he tually t t th S bj ct ty t lf th ab ol te f rm d x t t t lit f th bst tial de d the di tinct betwe bj t th ha d d b ta ce o th othe the bject d and t ll g powe of th b- j t th sam d ha ani h d di tly l ng th th di t ct betwee th m in f rm

S bjecti t is th gro d h th pt f f eed m ealized (see P ragraph 06) At th le l f m rali y subject y is till di tin t from free dom th cept f bjec ty b t t th level f ethical lif t is th realizat f th co pt in ay deq th ept tself

Cf P scal P t 93 —E

153 The right of indi duals t be subjecti ely be the r th in h cal on of the r wn esse ce r the r own inn uni ersal ty (see Paragraph 147)

Wh f th inq ed bo t th best m thod of d cating his in th cal d ct Pyth g ea replied Mak him citiz f a state with g d law (Th phras has also bee ttrib ted t th rs) [A]

154 The ri ht of indi iduals to th ir *pa t c lar* sati fact on s also co ta ned the ethical sub- stantial der s ce p t cularity is the o tward appe ra ce of the th c l o d r—a mode in wh ch that de is exist t

55 Henc in th dentity f the un er al will with the part l will ight and d ty c ale ce and by b the ethical order ma h s

my happ es has t b t nly ought to ha e alesc d w th d ties d become bjecti e [A.]

156 The ethical s b tance as co ta g inde pendent self-c sci us ess united with its c cept i the ctual mind of a family and a na ti n [A]

157 The o cept of this Ide has being only as mind mething kn w g tself a d actual becau t th bjectifi at on of its lf the movement runn g th gh the f rm f its m ments It th f re

(A) *thical m d its n tural o immediate phase—th F m ly* This s b t tiality lo e its unity p e t di si and int the pha e f lati i e to

(B) *C l Society*—a ass c at n of membe s as lf b tent indi d l in uni e s l tv wh h b u of thei elf sub istence i ly b t t. Their as oc tio i b ught b t by the eeds by th legal yst m—the m ns to security of p rs d p ope ty—and by ext rnal ganizatio f ttaining thei part cu lar d mm int ests Thi external stat

(C) b ought b ck t d weld d into unity in th *C t tut of th St t* whi h the end and tuality of both th sub ta ti l uni ersal der and the p blic lif devoted the eto

from some particular purposes, interests, and considerations, from fear or hope, or from historical conditions. But adequate *knowledge* of this identity depends on thinking in terms of the concept.

148. As substantive in character, these laws and institutions are duties binding on the will of the individual, because as subjective, as inherently undetermined, or determined as particular, he distinguishes himself from them and hence stands related to them as to the substance of his own being.

The 'doctrine of duties' in moral philosophy (I mean the objective doctrine, not that which is supposed to be contained in the empty principle of moral subjectivity, because that principle determines nothing—see Paragraph 134) is therefore comprised in the systematic development of the circle of ethical necessity which follows in this Third Part. The difference between the exposition in this book and the form of a 'doctrine of duties' lies solely in the fact that, in what follows, the specific types of ethical life turn up as necessary relationships; there the exposition ends, without being supplemented in each case by the addition that 'therefore men have a duty to conform to this institution'.

A 'doctrine of duties' which is other than a philosophical science takes its material from existing relationships and shows its connexion with the moralist's personal notions or with principles and thoughts, purposes, impulses, feelings, &c., that are forthcoming everywhere; and as reasons for accepting each duty in turn, it may tack on its further consequences in their bearing on the other ethical relationships or on welfare and opinion. But an immanent and logical 'doctrine of duties' can be nothing except the serial exposition of the relationships which are necessitated by the Idea of freedom and are therefore actual in their entirety, to wit in the state.

149. The bond of duty can appear as a restriction only on indeterminate subjectivity or abstract freedom, and on the impulses either of the natural will or of the moral will which determines its indeterminate good arbitrarily. The truth is, however, that in duty the individual finds his liberation; first, liberation from dependence on mere natural impulse and from the depression which as a particular subject he cannot escape in his moral reflections on what ought to be and what might be; secondly, liberation from the indeterminate subjectivity which, never reaching reality or the objective determinacy of action, remains self-enclosed and devoid of actuality. In duty *the individual acquires his substantive freedom*. [A.]

150. Virtue is the ethical order reflected in the individual character so far as that character is determined by *its natural endowment*. When virtue displays itself solely as the individual's simple conformity with the duties of the station to which he belongs, it is rectitude.

In an *ethical* community, it is easy to say what man must do, what are the duties he has to fulfil in order to be virtuous: he has simply to follow the well-known and explicit rules of his own situation. Rectitude is the general character which may be demanded of him by law or custom. But from the standpoint of *morality*, rectitude often seems to be something comparatively inferior, something beyond which still higher demands must be made on oneself and others, because the craving to be something special is not satisfied with what is absolute and universal; it finds consciousness of peculiarity only in what is exceptional.

The various facets of rectitude may equally well be called virtues, since they are also properties of the individual, although not specially of him in contrast with others. Talk about virtue, however, readily borders on empty rhetoric, because it is only about something abstract and indeterminate; and further, more argumentative and expository talk of the sort is addressed to the individual as to a being of caprice and subjective inclination. In an existing ethical order in which a complete system of ethical relations has been developed and actualized, virtue in the strict sense of the word is in place and actually appears only in exceptional circumstances or when one obligation clashes with another. The clash, however, must be a genuine one, because moral reflection can manufacture clashes of all sorts to suit its purpose and give itself a consciousness of being something special and having made sacrifices. It is for this reason that *the phenomenon of virtue proper is commoner when societies and communities are uncivilized*, since in those circumstances ethical conditions and their actualization are more a matter of private choice or the natural genius of an exceptional individual. For instance, it was especially to Hercules that the ancients ascribed virtue. In the states of antiquity, ethical life had not grown into this free system of an objective order self-subsistently developed, and consequently it was by the personal genius of individuals that this defect had to be made good. It follows that if a 'doctrine of virtues' is not a mere 'doctrine of duties', and if therefore it embraces the particular facet of character, the facet grounded in natural endowment, it will be a natural history of mind.

Since virtues are ethical principles applied to the particular, and since in this their subjective aspect they are something indeterminate, there turns up here for determining them the quantitative principle of more or less. The result is that consideration of them introduces the corresponding defects or vices, as in Aristotle, who defined each particular virtue

See Addition to [illegible] Paragraph 2.—Ed.
Remark to Paragraph 15.—Ed.

uality as self-subsistent units. Th dentificati l personalities, whereby th family becomes ne pe so nd its members becom its ccid ts (th ugh bstance is in essence th relati f ccidents t it self) is th ethical mind. Tak by self and stripped f th manif ld ext rnals f which t is possessed wing t ts embodim t in th se individuals and t. int rests f th ph menal realm interests limi ed in time d umerous th w vs this mind emerges in shape f represe tati thinkin and has been revered as Pen... &c. and in general t is in this mind that th relig us character f marriage

164 Mer agreement to the tipulated terms of c tract in tself in ol es the genuine tran f r of t. p operty in que tion (see Paragraph 9) Simila ly th olemn declaration by the part es f their consent t enter the ethical bo d of marriage and ts rrespo ding recogniti n and con.rmatio b their f mily and communi y onstitutes th f rmal mp eti and ctual ty f marriage. The kn t is tied and made eth ical onl fte this cerem y whereby throu.h the use f gns e. f language (th most men tal embodiment f mind—see Paragraph 8) th ub antial thing in the marriage is brought mpl t ly int bein. As esult, the sen us moment th on p opert t phy cal lif is put in ts ethical p.ac as som thing only onse quential and cidental, bel ngi g t the ex ternal embodim t of the ethical bo d, which indeed an bsist exclusi el in recip ocal lov and upport.

If with view t framing criticizing legal enact me ts, the q estio is asked h t sh ld be re garded as t. chief end f marri.ge th questi ma be taken mean which ingle f cet f mar iage in s ctuality is t be regarded as th m st essential ?N f cet by itself h wev makes up th h l range f ts implicit and explicit co tent, f ethical charact and ne ther f its f cets may be lacking in an existing marria. without detrimen t th essence f marriage tself I is in th ctual conclusio f marriage in th wedding tha t. essence f h tie is expressed and establ.hed beyond d. p as something hical,

See Enc [edn.] § 3 [rd edn. § 5]
The fac ha t.e hurch comes in th connexion is furt.e po but not one for discus on here. See foo no p. 8

he ro tingency f feelin. and pri at

rem es th marriag bo d from th pr ince f this caprice surrenders t th substanti and swears

th U d standing which ca t appreh d th speculati charact f th ub t tial ti er th less, th this speculative charact th re corre spo d both thical purity f heart nd th legisla ti f Christian peop es. [A.]

165 The diffe ence in the ph sical character .tics of the two es has a rat al ba is a d sequ tl acq es int ll tual and ethical ignifican This gnificance is det rmined by the diff enc in which the thical bstantial t as the o cept, int rnally sunders tself in o de that ts talitv may become c crete unity consequent upon this diff en e.

66 Thus o e ex is mind in ts self-di mption

ed. and tion in the form of c ncret indi

Sub section I

THE FAMILY

158 The family as the immediate substantiality of mind is specifically characterized by love which is mind s feeling of its own unity Hence in a family one s frame of mind is to have self consciousness of one s individuality within this unity as the absolute essence of oneself with the result that one is in it not as an independent person but as a member [A]

159 The right which the individual enjoys on the strength of the family unity and which is in the first place simply the individual s life within this unity takes on the *form* of right (as the abstract moment of determinate individuality) only when the family begins to dissolve At that point those who should be family members both *in their inclination and in actuality begin to be* self subsistent persons and whereas they formerly constituted one specific moment within the whole they now receive their share separately and so only in an external fa hion by way of money food educational expenses and the like [A]

160 The family is completed in these three phases

(*a*) *Marriage* the form assumed by the concept of the family in its immediate phase

(*b*) *Family Property and Capital* (the external embodiment of the concept) and attention to these

(*c*) *The Education of Children and the Dissolution of the Family*

A *Marriage*

161 Marriage as the immediate type of ethical

But secondly in self consciousness the natural sexual union—a union purely inward or implicit and for that very reason *existent* as purely external—is changed into a union on the level of mind into self conscious love [A]

162 On the subjective side marriage may have a more obvious source in the particular inclination of the two persons who are entering upon selves one person to renounce their natural and individual personality to this unity of one with the other From this point of view their union is a self restriction but in fact it is their liberation because in it they attain their substantive self consciousness

Our objecti ely appointed end and so our ethical duty is to enter the marr ed state The extern l origin of any *p tici la* marriage is in the nature of the case conti gent and it depends pri c pally on the *extent to which reflective thought has b en devel* oped At one extreme the first step is th t the marriage is arranged by the contrivance of be evolent parents the appointed end of the parties is a union of mutual love and their incl nation to marry ari es from the fact that each grows acquainted with the other f m the first as a destined partner At the other extreme it is the i cl nation of the parties w h ch comes f rst app aring in them as *these* two infin tely particularized ind viduals The more ethical w y to matr mony may be taken to be the former e t me or any way at all w hereby the decision to ma ry comes first and the incl nat on to do so fol lo s so th t i the actual w eddi g both decis on and i cl ation coalesce In the latter extr me it is the uniqueness of the i fi tely particularized hich m kes good its claims in accordance with the subjec t ve principle of the mod rn world (see Remark to *Paragraph 124*)

But tho e works of modern a t d amatic and other in w h ch the love of the e s is the main i terest are pervaded by a chill despite th heat of passion they portray for they associate the passion with accide t throu hout a d repres nt the e tire dram tic interest as if it rested sol ly on th ch racters as *thes d vidi al* wh t rests on them may indeed be of f ite imp t nce to *them* b t is of none whatever in its lf [A]

163 The ethical aspect of marriage consists in the parties consciousness of this unity as their substantive aim and so in their love trust and common sharing of their entire existence as individuals When the parties are in this frame of mind and their union is actual their physical passion sinks to the level of a physical moment destined to vanish in its very satisfaction On the other hand the spiritual bond of union secures its rights as the substance of marriage and thus ri es inherently indissoluble to a plane above the contingency of passion and the transience of particular caprice

It w s not d above (n P ragraph 75) th t marriag so fa s its essent al b sis is concerned is not c tractu l r lat O the cont ry though marr ag beg ns I cont ct it is precisely a co tract to tra c nd the standpoint of cont ct the standpoint from wh h persons are regarded in th r i di id

Cf *Enc* [st ed] §§ 67 ff nd §§ 88 ff [3 d ed §§ 2 o ff d §§ 366ff]

Se the foot te to Rema k (*f*) t P g ph 140 — E

8) and so is exposed to partition and contingency.

A marriage brings into being a new family which is self-subsistent and independent of the clans or 'houses' from which its members have been drawn. The tie between these and the new family has a natural basis—consanguinity, but the new family is based on love of an ethical type. Thus an individual's property too has an essential connexion with his conjugal relation and only a comparatively remote one with his relation to his clan or 'house'.

The significance of marriage settlements which impose restrictions on the couple's common ownership of their goods, of arrangements to secure continued legal assistance for the woman, and so forth, lies in their being provisions in case of the dissolution of marriage, either naturally by death or by divorce, &c. They are also safeguards for securing that in such an eventuality the different members of the family shall secure their share of the common stock. [A.]

C. *The Education of Children and the Dissolution of the Family*

173. In substance marriage is a unity, though only a unity of inwardness or disposition; in outward existence, however, the unity is sundered in the two parties. It is only in the children that the unity itself exists externally, objectively, and explicitly as a unity, because the parents love the children as their love, as the embodiment of their own substance. From the physical point of view, the presupposition—persons immediately existent (as parents)—here becomes a result, a process which runs away into the infinite series of generations, each producing the next and presupposing the one before. This is the mode in which the single mind of the *Penates* reveals its existence in the finite sphere of nature as a race. [A.]

174. Children have the right to maintenance and education at the expense of the family's common capital. The right of the parents to the services as services of their children is based upon and is restricted by the common task of looking after the family generally. Similarly, the right of the parents over the wishes of their children is determined by the object in view—discipline and education. The punishment of children does not aim at justice as such; the aim is more subjective and moral in character, i.e. to deter them from exercising a freedom still in the toils of nature and to lift the universal into their consciousness and will. [A.]

175. Children are potentially free and their life directly embodies nothing save potential freedom. Consequently they are not things and cannot be the property either of their parents or others. In respect of his relation to the family, the child's education has the positive aim of instilling ethical principles into him in the form of an immediate feeling for which differences are not yet explicit, so that thus equipped with the foundation of an ethical life, his heart may live its early years in love, trust, and obedience. In respect of the same relation, this education has the negative aim of raising children out of the instinctive, physical, level on which they are originally, to self-subsistence and freedom of personality and so to the level on which they have power to leave the natural unity of the family.

One of the blackest marks against Roman legislation is the law whereby children were treated by their fathers as slaves. This gangrene of the ethical order at the tenderest point of its innermost life is one of the most important clues for understanding [illegible] would

selves as they are as the desire to belong to the adult world whose superiority they divine, as the longing to grow up. The play theory of education assumes that what is childish is itself already something of inherent worth and presents it as such to the children; in their eyes it lowers serious pursuits, and education itself, to a form of childishness for which the children themselves have scant respect. The advocates of this method represent the child, in the immaturity in which he feels himself to be, as really mature and they struggle to make him satisfied with himself as he is. But they corrupt and distort his genuine and proper need for something better, and create in him a blind indifference to the substantial ties of the intellectual world, a contempt of his elders because they have thus posed before him, a child, in a contemptible and childish fashion, and finally a vanity and conceit which feeds on the notion of its own superiority. [A.]

176. Marriage is but the ethical Idea in its immediacy and so has its objective actuality only in the inwardness of subjective feeling and disposition. In this fact is rooted the fundamental contingency of marriage in the world of existence. There can be no compulsion on people to marry; and, on the other hand, there is no merely legal or positive bond which can hold the parties together once their dispositions and actions have become hostile and contrary. A third ethical authority, however, is called for to maintain the right of marriage—an ethical

Cf. Hegel, *Philosophy of History*, pp. [illegible] E. [illegible]; see below Paragraph 180.—Ed.

iduality and feeling In relation to externality the former is powerful and active th ! -
si
ac
an
n

family h
and there
plane of
her subst
imbued w
mind.

For this reason family piety is expounded in Sophocles *Antigone*—one of the most sublime presentations of this virtue—as principally the law of woman and as the law of a substantiality at once subjective and on the plane of feeling the law of the inward life a life which has not yet attained its full actualization as the law of the ancient gods the gods of the underworld as an everlasting law and no man knows at what time it was first put forth This law is there displayed as a law opposed to public law to the law of the land This is the supreme opposition in ethics and therefore in trage dy and it is individualized in the same play in the opposing natures of man and woman [A]

167 In essence marriage is monogamy because it is personality—immediate exclusive individuality—wh h
itself to i
ness (i e
ity) proc ... only from the mutual whole hearted surrender of this personality Personality attains its right of being conscious of itself in another only in so far as the other is in this identical relationship as a person i e as an atomic individual

Marriag and espec ally m nogamy is one of the absolute principles on which the ethical l fe of a com mun ty depends He ce marriage c mes t be re corded as one of the moments in the founding of states by gods or he e

168 Further marriage results from the free surrender by both sexes of their personality—a personality in every possible way unique in each of the parties Consequently it ought not to be entered by two people identical in stock who are already acquainted and perfectly known to one another for individuals in the same circle of relationship have no special personality of their own in contrast with that of others in the same circle On the contrary the parties should be drawn from separate families and their personalities should be different in origin Since the very conception of marriage is that it is a freely undertaken ethical transaction not a tie directly grounded in the physical organism and its desires it follows that the marriage of blood relations runs counter to this conception and so also to genuine natural feeling

Marriage itself is sometimes said to be ground d not in natural rights but simply in instinctive sexual impul es or again it is treated as a contract w th an arbitrary basis External arguments in support of monogamy have be n d awn from physical consi r ations such as the number of men and wome Dark feelings of repulsi n are ad anced as the sole ground for proh b t ng consangu neous marriage The b us of all these view s is th fashionable idea of a state of nature and a natural origin for ri hts and the lack of th concept of rat onality and freedom [A]

169 The family as person has its real external existence in property and it is only when this property takes the form of capital that it becomes the embodiment of the substantial personality of the family

B *The Family Capital*

1 o It is not merely prop rty which a family posses es as a univer al and enduring person it requires possessions specifically determined as permanent and ecure i e it requires capital. The arbitrariness of a single owner s particular needs is one moment in property taken abstract ly but this moment together with the elfi h ness of desire is here transformed into something ethical into labour and care for a common possession

In the s gas of the f unding f t tes or at l a t of a s ci l and ord ly life th int d ct on of per ma ent p operty l nked with th introduct on f m i Th atu e of this cap tal ho ev r nd the p ope m ans of its c lidat on will appear in the ect n on ci il soc ty

1 1 The family as a legal entity in relation to others must be represented by the husband as its head. Further it is his prero ative to go ut and work for its living to attend to its need and to control and administer its capital This capital is comm n n

... ever may come into coll sion with the head of the family s right of administration owing to the fact that the ethical temper of the family is still only at the level of immed acy (ee Paragraph

Cf S phocl s *A t g* ll 450-7 —Ed
Cf *Ph nom l gy* [st ed] pp 383 ff 417 ff [E g t pp 466 ff 495 ff]

See P g phs 99 ff d 33 —E

t th d equality of inh ritan th n

h t was p pt

evils

From R m h t ry d th writings f L cian d th rs w ffici tly f milia with th un th cal nsequ f gi ing th b d f R man family th right t m h m h pleased as his hei

M rri ge is thical lif t th level f immediacy in th very t f th case th ref re t must be mi t f bsta t l ti with tural co tin gr cy d b trarines w h b th sla st tus f ch ldre by legal p isi ns ch as th m t d bo ll as th rs nseq

d bt th h w f d wry) th l lro d is pa d t th rrupti f m nn rs, th th la th mselves ecessit t ch corrup

Th n t t t f h irs t law w th ew t p serving th f m l d ts *pl d* b m ans f *fi eicomm ss d sub* t (der t f sons b ex l ding da ht rs from inh ting t f th ldest by cl ding th th hil dren) in f ment f th p pl f th free d m f prope t (see P ragraph 6) l k th d m si f h ineq lity in th treatment f h A d bes des h tit ti depe ds rb trari ess hich d by tself has ht t recognit m precisely th th ght f thing t preserv t t so m ch *this* f mily b t rath *th* cla h us Y t t is t this cl

Th f h here f rthe dis nc i be een this and *p* *b norum* is p ec f th ruditio hich cons i tes the uris xpert.

Transit of th e F mily s to Ci l Society

18 The family di ntegrates (bo h essentially through the wo ki g of the principl of pe o ality and al o n the c rse of nature) into plurality of f m lies ea h f wh ch conducts it s lf a pri cipl a self sub stent concr te person a d therefo as e tern lly related to it ne ghbou I oth r w ds the mom ts bound t gethe in the un ty f the f mily s ce the f mily s the thical Idea still in its concept must b elea ed from the o cept to elf s b stent obj ctive ealit This is the stage of diff ren e Th gi s to use bstract la guage n the first pl c th determinat on of part cu larity which lated t u i ersality but in uch a w that u rsality is i s b s c pri cipl th ugh till nly a nw d pri c ple f that e s th un e sal m ly hows in th parti lar as its form H ce this relat f reflection prima f cie portrays th di appear an e f ethical life o sin e thi life a the e sence neces rily sh t lf th relat o co t t tes th w rld f th cal appea a ce—ci il society

Th p usi f th family as ts transiti t ew principle is in th t rnal w ld som times t pe ful expansi til it becomes pe pl nati wh ch thus h mm nat al ri in som times th fed rati f scatt ed gro ps ff m ilies under th infl ence f l d power as result f l tary associati p d ced by th ti f eeds d th reciprocity f their satisf cti [A.]

All ed ons read 356 —E

Cf *En* { ed } § 64 ff §§ 8 ff [3rd edn. §§ 5 ff §§ 3 ff]

substantiality—against the mere whims of hostile disposition or the accident of a purely passing mood and so forth Such an authority distinguishes the e from the total estrangement of the two parties and may not grant divorce until it is sati fied that the estrangement is total [A]

177 The ethical dissolution of the family consists in this that once the children have been educated to freedom of personality and have come of age they become recognized as persons in the eyes of the law and as capable of holding free property of their own and founding families of their own the sons as heads of new families the daughters as wives They now have their substantive destiny in the new family the old family on the other hand falls into the background as merely their ultimate basis and origin while *a fortiori* the clan is an abstraction devoid of rights

178 The natural dissolution of the family by the death of the parents particularly the father has inheritance as its consequence so far as the family capital is concerned The essence of inheritance is the transfer to private ownership of property which is in principle common When comparatively remote degrees of kinship are in question and when persons and families are so dispersed in civil society that they have begun to gain self subsistence this transfer becomes the less hard and fast as the sense of family unity fades away and as every marriage becomes the surrender of previous family relationships and the founding of a new self subsistent family

It has been su ested that the ba is of inher tance l es in the fact that by a man s d ath his p op rty b c mes wealth vitho t an ow er and as such falls *to the first pers n who takes posses on of it* because of course it is the el tives who a e norm lly nearest a man s de th bed and so th y are ge erally the fi st to take p s ss on Hence it s supposed that this customary cc r ence is m de ule by pos tive legi lat on in the nter ts of o derl ess Th s g n iou ide d eg rds th *nat r of f mily relatio sh p*

179 The result of this d integration of the family is that a man may at will either squander his capital altogether mainly in accordance with his private caprices *opinions* and ends or else look upon a circle of friends and acquaintances &c *as if they were his family* and make a will embodying a declaration to that effect with the result that they become his legal heirs

The ethical just ficat on *of fre d m t dispose of* one s *property* by w ll to a ci cl f fr nds would depend on the formatio of s ch a circle but th re

— m h rid t arb trari

man s competence to beq eath his property arbitrarily is much more likely to be an occasion for breach of ethical obligations and for mean exertio s fo

and g fts vain tyrannic l and ve atious c m on operative after the testator s death and so in any case after his p operty ceases to be his

180 The principle that the members of the family grow up to be self subsistent persons in the eyes of the law (see Paragraph 177) lets into the circle of the family something of the same arbitrariness and discrimination among the natural heirs though its exercise there must be restricted to a minimum in order to prevent injury to the basic family relationship

The me e dov nright arbitra iness of the deceased ca not be m de the princ ple underlying the right to m ke a ll especi lly if it runs counter to the substantive right of the fam ly For after all no respect would be forthcomi g f r his v hes after his d ath

— d e eration for its s by it ect tha tr ry

The other ground for the val dity o t mentary disposition would cons st simply in its arb trary rec gnition by others But such an argument may pr ma facie be adm tted only when family ties to which t st m ntary d po tion is intri sic become mote and more i effecti *If they are actu lly* itu to ties r m

ly th m pr c pl of i h it n e i the h rsh and u eth cal legal sy t m of *Rome to hich* cf rence h s be n m d alr dy That system ev n g ve a father powe to ell his n nd if the son a ma umitted by a th d p tv h came le his fathe s *pot t s* once mo e N t u til he was m n m tt d a th d t me s h a t lly nd f ally fre Th on n r attain d h s m *j rity de j e h m a pers n i l w th ly p p*

age to the he d of th f m y c f c lly so p o ded S m l rly w f r m ined

t m l t w f wh i m m c t l m p l d wh se m w al y t be h b d.

187 Individuals in the r capacity as burghe s h tat are pri ate pe so s wh e e d is

whi h thes memb of c vil soc ety s unco ci us—lies in the p cess whe eby the π lc dition re raised,

Th dea that th tat f t re l f in o- cen d th t ther is simplicity f mann rs in

bjecti ality in th finite Th d f easo ther f re is ther th mann rs f an unsophisti ca ed tat f t as particul rity dev l ps th pl asu f pleas re sak whi h ed cati p cures On th co trary t d is t banish nat ral implicity wheth th passi ty wh ch is th b- sen f th self th crud type f kn wing and wili g immediacy d singularity in which mind bso bed. It aims in th first nsta ce t se curi g f this ts ex rn l co dit th rati l ty f hi h t is capabl th f rm f un rsality th L derst din (l er d gkeit) By this m ans l does mi d bec m t h m with tself w thin this pure ex rnali y Ther th mind f eed m xis t and mind bec mes bjecti t tself in this lem t wh ch is mplicitly in mi al t mind ppoi ed end, freed m t has t d th re ly with h t has tself p od ced d tamped with its seal. It in hi way then th t th f m l nrversality mes expli tly in xisten in th ght d this l rm is th nly rthy l m t f th xist ce f th Idea Th final purpose f ducati th f re is liber tio and th trugle f h gh hb rati still ed cati is th bsol t transiti from an ethical bst al ty whi h is immediat and nat

ral t th which is intellect al d so b th in h t have ttain d

d
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ty

that th bj

w thi an objectivity in which al t is f ts part capabl and w rthy f being the ct ality of the Id

M re this f rm f niversality—the U d ta ding t whi h part larity has w ked ts way and d el ped tself brings t bo t t th sam tim th t particularity becomes indi d ality gen in ly exist t in t wn eyes A d since t is from this particularity that th ni ersal d ri es th c

188 Ci il soc ety c ntains three moments

(A) The medi tion f ne dand ne man s satis fact th ugh his work and the satisfact on of the e ds of ll oth rs—the *Sy tem f Needs*

(B) Th actual ty of the uni e sal principle of freedom the e contained—the protection of p pe ty th gh the *Adm st t o of Just ce*

(C) Pro is ag inst c ntinge cies still lurk ing in syst ms (A) a d (B) and care for par ti ula int ests as mm n inte e t by means of the *P l ce* and the *Co poration*

A. *The Sy tem of Needs*

189 P ticularity is in th fi t instance cha ct rized in general by ts contrast with the uni versal pri pl f the will d thus is subj ct e need (s Paragr ph 59) This attain ts ob- jecti ty i.e ts sat f ction by mean f ( ) extern l thi gs wh ch at this stage e lik w e the p perty and product of the ne ds and wills f thers a d (β) wo k and eff rt th m ddle t rm b tw en th ubj ct d the obj cti e The aim he e is the satisf ction of s bje t e p rt ul rity b t th uni sal a s rts t lf in the bearing wh h th at sf t on h s on the needs of others d the f ee rb t y wills The show of r tionality thu p d ced i this sph

See Rem k to P ragr ph —E

P litical m is th science wh ch starts f m

All edi ns re d 6 —E

Sub section II

CIVIL SOCIETY

182 The concrete person who is himself the object of his particular aims is as a totality of wants and a mixture of caprice and physical necessity one principle of civil society But the particular person is essentially so related to other particular persons that each establishes himself and finds satisfaction by means of the others and at the same time purely and simply by means of the form of universality the second principle here [A]

183 In the course of the actual attainment of selfish ends—an attainment conditioned in this way by universality—there is formed a system of complete interdependence wherein the livelihood happiness and legal status of one man is interwoven with the livelihood happiness and rights of all On this system individual happiness &c depend and only in this connected system are they actualized and secured This system may be prima facie regarded as the external state the state based on need the state as the Understanding envisages it

184 The Idea in this its stage of division imparts to each of its moments a characteristic embodiment to particularity it gives the right to develop and launch forth in all directions and to universality the right to prove itself not only the ground and necessary form of particularity but also the authority standing over it and its final end It is the system of the ethical order split into its extremes and lost which constitutes the Idea s abstract moment its moment of reality Here the Idea is present only as a relative totality and as the inner necessity behind this outward appearance [A]

185 Particularity by itself given free rein in every direction to satisfy its needs accidental caprices and subjective desires destroys itself and its substantive concept in this process of gratification At the same time the satisfaction of need necessary and accidental alike is accidental because it breeds new desires without end is in thoroughgoing dependence on caprice

... and ethical degeneration common to them both

See Paragraphs 23 ff —Ed

The development of particularity to self subsistence (compare Remark to Paragraph 124) is the moment which appeared in the ancient world as an invasion of ethical corruption and as the ultimate cause of that world s downfall Some of these ancient states were built ... gious pr nci ... order which ... still compar ... in either case they rested on primitive unsophisticated intuition Hence they could not withstand the disruption of thi ...

... power to be found only in that unity which allows both sides of the antithesis of reason to develop themselves separately in all their strength and which has so overcome the antithesis that it maintains itself in it and integrates it in itself

In his *Republic* Plato displays the substance of ethical life ... only cope ... ticularity ... Greek eth ... by setting up in opposition to it his purely substantial state He absolutely excluded it from his state even in its very beginnings in private property (see Remark to Paragraph 46) and the family as well as in its more mature form as the subjective will the choice of a social position and so forth It is this defect which is responsible both for the misunderstanding of the deep and substantial truth of Plato s state and also for the usual view of it as a dream of abstract thinking as what is often called a mere ideal The principle of the self subsistent inherently infinite personality of the individual the principle of subjective freedom is d...

... ophy [A]

186 But in developing itself independently to totality the principle of particularity passes over into universality and only there does it attain its truth and the right to which its positive actuality is entitled This unity is not the identity which the ethical order requires because at this level that of division (see Paragraph 184) both principles are self subsistent

acter of being property the embodime t f the free will of thers and hence from his point of ew its recalcitrance is absolute. [A.]

(β) The Kind f W rk [t p cal of e il oc t]

196 The means of acquirin, and p eparin, the

man t

f h ects a d tuatio s

Practical ed cat acqu red through w king on ists first in th aut m tically recurrent need f something to d and th hab t of simply be

(γ) Cap tal [and class-di isions]

199 When men are thus dependent on one an other and reciprocally related to one another in the r work and the satisfaction of th ir needs subjecti e elf eeking turns into a contribution to the satisfa tio of the needs of e ery ne el e That is t sa by a dialectical ad ance subjec t ve lf seeking turns into the mediation of the particula through the uni ersal with the result that ea h ma in e rnin, p oducing and enjoy ing on his own ccount s *eo pso* producing and earning fo the e jo m nt of everyone el e The compul on which brings this about is rooted in the complex interdependence of ea h on all and t now p esents t lf to each as the uni ersal permanent capital (ee Paragraph 1 o) which gi es each the opportunity by the exerc e of his ed cation and kill, to draw a ha e f om it and so be assured of his li elihood while what he thus earns by means of his work maintains and increases the general cap tal.

200 A particular man s resources or in other wo ds his opportunity of sharing in the general

[A.]

198 The uni ersal and bjecti e element in work on th other hand, lies in the ab tracting p oces whi h effects the subdi isi f eeds and m ans and the eby *eo pso* subdi des pro d ct on and brings bo t th di isi f labour By this di i th w k of the indi idual be mes les m l and con equently his kill t h sect of th j b incr ases lik his u pu At th sam tim this bstraction of one ma kill d mean f p od ction from an ot er om l tes and makes ecessary every er th dependen f men on o e an ther a d th ecip ocal lation in the sat sfaction f thei th eed Furth th bstraction f ma p oduct f m an ther makes w rk m and m e mechanical, until finally ma bl t step as d and install machines in his pla e.

ph co tains as well, they ha e as their in e table c seq enc di parities f indi dual res urces and b lity

Th bjective right f th particularity f mind is co tained in th Idea. Men are mad eq al by nature wh re equality is in ts l m t and in ci il society th right f particularity is so f from annullin, this nat ral inequality that t p od es t t f mi d and raises t t an ineq alit f skill and resources, and eve t f m ral and intel lectual ttainm t T ppose t this right demand f equality is f lly f th U d rstanding which takes as eal and rati nal ts bstract equality and ts ught to-be

See P ragra, ts —Ed.

See Remark t Paragraph 3 6 and to 3 3 —E

this view of needs and labour but then has the task of explaining mass relationships and mass movements in their complexity and their qualitative and quantitative character This is one of the sciences which have arisen out of the conditions of the mod

front it at the outset and extractin therefrom the simple principles of the thing the Understanding effecti e in the thing and d recting it It is to find reconcil ation here to discover in the sphere of needs this show of ratio al ty lying in the thing and effective there but if we look at it from the opposite po nt of view this is the field in which the Understanding with its subjective aims and moral fancies vents its discontent and moral frustration [A]

(a) The Kind of Need and Satisfaction
[typical of civil society]

190 An animal s needs and its ways and means of satisfying them are both alike restricted in scope Though man is subject to this restriction too yet at the same time he evinces his transcendence of it and his universality first by the multiplication of needs and means of satisfying them and secondly by the differentiation and division of concrete need into single parts and aspects which in turn become different needs particularized and so more abstract

In [abstract] r ht wh t we l ad before us was the per on in the sph e of moral ty the subject in the fam ly the f m ly member in civil society as a whol the burgher or *bo geois* Here at the tand point of needs (compa e Rema k to Pa graph 123) what we ha e bef e s s the composite idea hich we call *m* Thus this is the f rst time a d deed properly the only time to spe k of *an* in this sense [A]

191 Similarly the means to particularized needs and all the various ways of s tisfying these are themselves divided and multiplied and o in turn become proximate ends and abstract needs This multiplication goes on *ad infinitum* taken as a whole it is refinement i e a discrimination between these multiplied need and judgement on the suitability of means to their end [A]

192 Needs and means as things existent *real iter* become something which has being for oth

reciprocal
This ab
character

of being recognized and is the moment which makes concrete i e social the isolated and abstract needs and their ways and means of atisfaction [A]

193 This social moment thus becomes a particular end determinant for means in themselves and their acquisition as well as for the manner in which need are satisfied Further it directly *involves the demand for equality of satisfaction* with others The need for this equality and for emulation which is the equalizing of one elf with others as well as the other need al o present here the need of the particular to assert itself in some distinctive way become themselves a fruitful source of the multiplication of need and their expansion

194 Since in social needs as the conjunction of immediate or natural needs with mental needs arising from ideas it is needs of the latter type which because of their universality make themselves preponderant this social moment has in it the aspect of liberation i e the strict natural necessity of need is obscured and man is concerned with his own opinion indeed with an opinion which is univer al and with a necessity of his own making alone in tead of with an external necessity an inner contingency and mere caprice

The id a has b en advanced that in re pect of his needs man l ved in freedom i the so called state of nature when his ne ds were supposed to be con fi ed to wh t re known as the s mple nece ties of nature and when he requi ed for thei sati f ction only the mea s wh ch the accide ts of nature di rectly ssu ed to him Th s v ew takes no accou t of the mome t of l beration int i sic to w rk on wh ch s e the following Para raphs And part fr m this, t is false beca se to be conf ed to me e ph s ical needs as such and the r d rect satisfacti n would simpl be the cond t which th m t l is plu g d i the n t ral nd so ld be n of savagery a d freedom w h le freed m it If is to b found only in th refle ti f m nd i t itself in minds d t ction from nature a d the reflex of mind in natu

195 This liberation is abstract since the particularity of the ends remains their basic content When ocial conditions tend to multiply and subdivide needs means and enjoyments indefinitely—a proce s which like the d stinction *between natural and refined* needs has no qualitative limits—this is luxury In this same process however dependence and want increase *ad infinitum* and the material to meet th e is permanently barred to the needy man becau e it consists of external objects with the special char

See P m k t P ra raph 9—F
ee P rag aphs 48 49 d 7 —E

sential and final determining f ct rs are s bjec ti e opi io a d the indi dual s arbitrary will wh ch win in this sphere their rig t their merit, and their d nity H nce what happens here by m t m by the

k

of his o m

consc cı us di erence

proper place in this sphere where the paramount thing is reflection on o e s doings and the quest of happiness and pri ate wants and w ere the contingency in sati f ing these makes into a duty even a si le and co tin ent act of as ist ance

At first (e. especially in yo th) man chafes t th dea f resolvin particular ocial positi and looks po this as restricti his ur versal character and as ecessity imposed him p rel b t This is because his thinking is still f that bstract kind which refuses t m e bey nd th uni versal and so eve reaches the ctual. It does not realiz that if th concept is t be determinat it must first f all dvance int th distinctio between the co cept and ts real exi tence and th reb int d terminacy and particularity (see Paragraph 7) It is nly th that th concept can win ctuality and ethical bjectivity [A.]

8 As the pri ate part cularity of knowi g and willing the principle of this ystem of needs co tains ab l uni ersality the uni ersality of freedom nl abstractly a d the efore as the right f p perty At this point h wever this right is no longer merely implicit but has at tained ts recognized ctualit as the protection f property through the admini trati n of jus tice

B The Adm nist on of Justice

209 The relatedness ari ing f om the recipro cal be ring n ne other f needs and work to sati f these s first f all reflected into it If as infinite personality as ab tract right. Bu t is this n sph re f relatedness—a sp ere of ed cation—which gi es bstract ri ht the d ter minate exi t ce of bein omething univers lly ecognized, known, and willed, a d ha ing a alidity a d an bjectiv ctuality mediated by this kn wn and willed haracter

It is part f ed cati f thinking as th consci us ess f th singl in th f rm f uni ersality that th ego comes t be pprehended as uni rsal perso in which all re dentical. A man counts as man in virt f his manhood al not because h is Jew Cath lic Protesta t German Italian & This is an assertio which thinkin ratifies and t be co sci us f t is f infinit importance It is d fective nly when t is crystallized, g as cosm politan ism in pposition to th concret lif f th state. [A.]

210 Th bjective actuality of the right c n ists first in ts exi t e for consci usness in ts being known in some way the secondl in ts po ses in th powe which the actual pos sesses in ts being alid, and so also in its be-

5) Either t erthrows soci ty as happe ed in t Greek tates d in th R ma Rep b e h uld society preserve tself in bein as f rce as religi us h rity f in tance t ppears as inne corrupti and complet dege ratio as was th case t som extent in Sparta and is w a ogether th case in India.

B t when subject e particularity is uph ld by th bjective rd in conf rmit with t and is t th sam tim ll wed ts right th it becomes th ani ma n princip f th tire ci il societ f the devel pment alike f mental ctivity merit, and digni Th recogniti and th ri ht that what is brought bo by reaso f necessity in ci il soci ty d h sta shall t sam tim be ffected by th mediati f th arb trary will is th m re pre cise d finition f what is primaril meant b free d m in comm pa la ce (see Paragraph)

A man actualizes himself nly in becom ing something d finit e. somethin pecifical ly particularized t s m a s restricting hims lf ex lusi l t on f th particular eres of need I this lass system, t e ethical frame f mind th f is rectit de and e prit d orp the d pos t mak oneself member f f t moments f civil soc ty b e s n ct through energy industry and skil t maintain ones lf in this pos tion and to fend f ese f nly thr ugh this process of mediati g oneself with the uni rsal, while in this way gaining recognition both in s wn yes d in th eyes of thers. Morality has ts

Book iii [ ]

See Paragra h 87—E

whole with d fferent members (see the following Paragraph)

201 The infinitely complex criss cross move ments of reciprocal production and exchange and the equally infinite multiplicity of means therein employed become crystallized owing to the universality inherent in their content and distin uished into general groups As a result the entire complex is built un i to n

p t cal education i e into sys tems to one or other of which individuals are as signed—in other words into class divisions [A]

o The classes are specifically determined in accordance with the concept as (*a*) the *sub stantial* or immediate [or agricultural] class (*b*) the reflecting or *formal* [or business] class and finally (*c*) the *universal* class [the class of civil servants]

203 (*a*) The substantial [or agricultural] class has its capital in the natural product of h l

i objective way and not mere haphazard exploitation In face of the connex ion of [agricultural] work and its fruits with separate and fixed times of the year and the de pendence of harvests on the variability of nat ural processes the aim of need in this class turns into provision for the future but owing to the conditions here the agricultural mode of sub sistence remains one which owes comn

l disposition of an ethical life which is immediate resting on family relation ship and trust

The real beginning and ori

has b en r

cultur al

of agricul t it the f m t n of the l nd and consequent allv ex lusi ly pr vat p perty (compare Remark to Pa graph 170) the n madic life of savag s wh ek th i l el bo d f om place to place it brings ba k to th tranquill ty of private rights and the a su ed satisf t on of the r n eds Along w th h

marriage ar

during l agu

pand i to ca i i i ity and perso al po sess ons into famil goods S curity onsol dati n l sting satisfaction of needs a d o forth—things wh ch are the mo t obvious recomme d t ns of m rr age d

agri

moc

asse

In this matter nothing is of more interest than the ingenious and learned explanat

In course of time the charact

its form and the development of its power of reflec t on [A]

204 (*b*) The business class has for its ta k the adaptation of raw materials and for its means of livelihood it is thrown back on its work on reflection and intelligence and es entially on the mediation of one man s need and work with those of others For what this cla s produces and enjoys it has mainly itself its own industry to thank The task of this class is subdivided into

(*a*) work to atisfy single needs in a compara tively concrete way and to supply single orders —craftsmanship

(*β*) work of a more abstract kind ma s production to satisfy single need but needs in more universal demand—manufacture

(*γ*) the business of exchange whereby sepa rate utilities are exchanged the one for the other principally through the use of the uni versal medium of exchange money which ac tualizes the abstract value of all commodities— trade [A]

205 (*c*) Th

servants] ha

of the comm

from direct labour to supply its needs e ther by having private means or by receiving an allow ance from the state which claims its industry with the result that private interest finds its satisfaction in its work for the universal

206 It is in accordance with the concept that class organization as particularity become ob jective to itself is plit in this way into its gen eral divisions But the question of the particular class to which an ind vidual is to belong is one on which natural capacity l irth and other cir cumstances have their influence thou h the es

N t bly l the f th lum l bl *Myth l g nd Symb l k*

seem perverse t those wh are b si d with these pursuits, b t their astonishme t t t sh uld t least t p sh rt f dism y

W th this Rem rk mpar what was said in th Remark t Paragraph 3 bo t d rsta ding th law

13 Right becomes determinat in the first pla e when t has the f rm of being posit d as po ti e law t also becomes d t rminate in c tent by be g applied both to the m terial of ci il ci t (i.e t the ndlessly growing com pl xity and s bdi ision of s cial t es and the diff rent spe es f p operty a d co tr ct within the s ciety) and lso t ethical ties based on the

so fa

t be a m tter f r pos ti e legi latio r rin i materi l f r th d terminate onte t of law is

214. But part f m being applied t part cular instan right by being embodied in p siti e law becomes pplic ble to the s gl ca Hence t enters th phe wh qu t ty t th con ept is the p inc ple f d t rm atio This is

acillat on mu t b t rminat d howeve in the int rest f g tting som thi g d e and fo this ca th is pla e within that limit f r con t g t d b trary dec s

Th p rely po ti sid f law lies chi fly in this focusing f th ni rsal t m ly particula insta ce b t an isolated case i.e in ts dir ct p- plicati Reaso ca t d t rm ca th ep pro d y prin pl h se pplicati uld decide h th jus eq ires f an ff ( ) rporal pu ishm t f f rty lashes thirty nine, ( ) fin f fi d llars f d llar inety hree f &c., ts, (iii) mpriso m t f year th ee hundred d ty f three &c. days, yea and ne t three day A d y t injustice is d t on f th la h too many d lla t eek in priso da oo m y t f w

Reaso self requires t recogniz th t co ti

prese t is th t som thing be t ally d n that th matter b settled and decid d som h w n matter h w (within a c rtain limit) Thi decisi pertains rm l self cert inty

case [A]

(β) Law determin tely existent

21 If l ws e to ha e a binding fo ce it fol lows th t in v ew of the right f self-conscious ness (see Pa graph 132 nd the Remark there to) they must be made un ersally known

mad t thei p fess l t dy R rs wh h gi e ti al l w t th pe pl in th f rm of w ll rra d d l -cut legal ode—o ev m re f rmless ll cti f laws, lik J tinia s— h be th gre test be f ct rs f thei peoples and h ece ed th ks and prais f their b fi ence B t th truth is that thei w k was t th sam tim great ct f justice [A]

2 6 For a p blic l gal code simpl general laws a e equ ed a d yet the nature of the *finit* mate al to which law s appl ed leads to the furthe determining of gener l laws *ad* *fi i m* O the o h d, the l w ought to be a compr h ns e wh le cl s d a d mplete and y t n the oth hand the need f r fu th r d termin tio s is c t ual B t inc this n tinomy ri es nly wh n uni rsal pri ciple whi h m fixed d unchang d e applied t parti ul types of ca the right t om

A fru tf l urce f compl xity in legislati is th

coming known as universally valid

(a) Right as Law

211 The principle of rightness becomes the law (*Geset*) when in its objective existence it is posited (*geset t*) i e when thinking makes it determinate for consciousness and makes it known as what is right and valid and in ac quiring this determinate character the right be comes positive law in general

21) Thereby its content is reduced to its simplest form and so is given its final determinacy In becom ing law what is right acqu res for the first time not only the form proper to its universality but also its true determinacy Hence mak ng a law is not to be represented as merely the e p ession of a rule of behaviour val d for everyone though that is one moment in leg slation the more important mo ment the in er essence of the matter is knowledge of the content of the law in its determinate uni versality

Since it is only an mals wh ch have their law as in stinct wh le it is man alone who h s law as custom even systems of customary law contain the moment of being thoughts and bein kno n Their d ffer ence from pos tive law consists solely in this that they are kno n only in a subjective and accidental way with the result that in themselves they are less deter m ate and the universality of thought is less clear in them (And apa t from this knowledge of a sys tem of la e ther in g eral or in its details is the accidental possess on of a few) The suppo ition that it is customary law on the strength of ts character as custom wh ch pos es es the privilege of having become part of l fe is a d lus on s ce the valid laws of a nation do not cease to be its cu toms by being written and codified—and besides it is as a rule precisely those versed in the deadest of topics and the deadest of thoughts who t lk n adays of l fe and of becoming part of life When a na tion begins to acquire e en a little cultu e its cus tom ry law must soon come to be collected and put together Such a c llect o is a l gal code but one which as a mere collect on is ma k dly formless in d terminate a d fragm tary The main difference bet een it and a cod p pe ly so called is that in the latter the p nciples of juri prude ce th i uni versality and so in th r determinacy have been apprehended i terms of th ught and expressed. Eng lish natio al law municipal law is c ta d s is well known i statutes (ritten laws) a d in so called u ritt n laws This un ritten law how

written law and yet they are just as m ch exempt

whether they accorded with the unwritten law or not

A similar confusion might have arisen in the legal system of the later Roman Empire owing to the dif ferent but authoritative judgements of all the famous jurists An Emperor met the situation however by a sensible expedient when by what was called the Law of Citations he set up a kind of College of the jurists who were longest deceased There was a President and the majority vote was accepted.

No g eater insult could be offered to a civilized people or to ts la vyers than to d ny them ab lity to cod fy their law for such abil ty cannot be that of constructing a legal system with a novel content but only that of apprehending i e graspi g in thought the content of existing laws in its determi nate universality and then applying them to particu lar cases [A]

212 It is only because of this identity between its implicit and its posited character that posi tive law has obligatory force in virtue of its rightness In being posited in positive law the right acquires determinate existence Into such existence there may enter the contingency of self will and other particular circumstances and hence there may be a discrepancy between the content of the law and the principle of right ness

In positive law the ef re it is the legal wh ch is the so rce of our knowledge of wh t is right or more exactly of our legal rights (*Rechtens*) Th s the science of po t ve law is to that tent an his torical sc ence with authority as its gu di g princi ple Anyth g ove and abo e this historical study is matte for the U derstand ng a d concerns the collect on of l ws, the classification on extern l principles ded ct ons from th m their appl catio to f esh d tails &c When the Und rstandi g med dles with th ature of the thing it If its th orie e g of crim l law show what its ded ctive argu me t tion can c coct

The science f positi e l w has n t only the right

been p oved th furth q estion ab t the ratio al ty of a pecific law is still raised th question m y

those acquai ted w th t

H g *Leh buch der G sch ht d öm ch Re ht* § 354 [§ 355 i the 7th ed]

thority—the court f justice.

d his co rt

inkhn f th point t i.. m discus. and th stat Th point is th t legal d political instit ti ns ar rati nal in principl and theref re bsol t ly ecessary and th q esti f th f rm in hich th arose w re introd ed is entirely irrelevant t cons.id rati f thei rational basis. At th ther extrem f om Herr Hall point f ew is th barbarous ti th t th dministra ti f ju.tice is w as t was in th da wh

ciety

When th right gainst crim has th form of reven e (see P ragr ph 10) t is o ly right implicit t g t in th form of ri ht e. o f evenge j t fi d. Inst d f th in jured party th injur d *uni ersal* n w c mes o th ene and this ha ts p per ctual ty in the ourt f law It takes r th pursuit and the engi g f m and this pur uit o sequently ceases t be th bj cti e d con ti.. ent tribut on f revenge and is transform d i.. the genui econcili t on of right with it elf e int punishm t Obj ti ly this th t ilati f th law with t elf by th an ulm t f th rim t l w s est ed d ts uth rit is th by ctualized. Subj cti ly t is th ec liat f the criminal with him self e. with th law kn wn b him h wn and as ral d f him d his p t when this law i.. xecuted upon him he himself fi ds in this p oces th sati f cti f ju.t and th ing sa his n ct

A membe f ci il oc ty has the right *jud cio tar* and rrespo dingl th duty f kn wledin g th j risdict n f the c urt and epting ts dec si final when his wn rig s in di.pu [A.]

22 In urt the pecifi haracter whi h right es qu es that t mu.t be demon trable. When parties g t law th y put in th pos

tion of ha ing to make good the r evidence and the r claims and to make the judge acquainted with the facts The e steps in a legal process are them.el es right. and th ir course must ther fo e be fixed b law They also co stitute an es sential part of jurisprud nce [A]

2 3 These steps in a legal process re ubdi vided c ntinually within no fix d l mits into m re and mo e ctions each being di.tinct in ts lf and a right He ce a l gal p o ess in itself in any case a means n w begins to be something

against legal p oces es and their misu e

Equity in l es departure f m f rmal rights wing t m ral th consid rati ns and is co cerned primarily w th th te t f th lawsuit. A

legal precedent f th f t re

in a particula ca e (th ourse of the p oceed ings the legal a gume t &c)—i.e th publicity of j dicial p ceedings The ea n fo this is that a trial i mplic tly n e ent of uni ersal validit d altho gh the part cula c tent f th ct n ffects th int ests f the parti s al e t uni ersal content i e th right t is sue a d the j dgement th reo ffects the in te ts f rybody

If th members f th bench delib rate am gst themsel es bo t th j dgement which they re t d h such d liberati ns express pini ns and views still personal d so naturally are t p blic. [A.]

By the judgement f th urt the law is applied to a single cas and th wo k f j dge ment has tw distin t aspects first certain

See Hegel's footn te P ragraph 58 —Ed

gradual intrusion of reason of wh
and actua
have some
ly historic
as was rer
180) in n ... it u i law &c It is essential to notice however that the very nature of the finite material to which law is applied necessar ly entails an infinite progress in the appl cation to it of princi ples universal in themselves and inherently and ac tually rational

It is misunderstanding which has given rise alike to the demand—a morb d craving of German scholars ch efly—that a legal code should be something ab solu
tion
a co
ough
we o
stanc ... ot i cases on a m sconception of the nature of a fin te subject matter like private law whose so called completeness is a perennial ap proximation t completeness on a misconception of the difference between the universal of re son and the universal of the Understanding and also on the appl cation of the latter to the material of fi itude and atomic ty which goes on for ever —*Le plus grand en emi d B en c'est le Me lleur* is the utter ance of true common sense against the common sen e of idle argumentation and abstract reflection [A]

217 The principle of rightness passes over in civil society into law My individual right whose embodiment has hitherto been immediate and abstract now similarly becomes embodied in the existent will and knowledge of everyone in the sense that it becomes recognized Hence property acquisitions and transfers must now be undertaken and concluded only in the form which that embodiment gives to them In civil society property rests on contract and on the formalities which make ownership capable of proof and valid in law

O ig nal i e dir ct titles and means f acquis tion (see Parag aphs 54 ff) are s mply disca ded in civil soc ety and appe o ly as isolated a cidents or as subordi ated factors of property trans cti ns It is e ther feeling r fus ng to m bey nd the subjec
t

this is the case that when the dev lopme t f law is just beginning ceremon es nd f rm lit es ar more circumstantial and count rather as the thing itself than as its symbol Thus even in Roman law a num ber of forms and especially phrases were ...

218 Since property and personality have legal recognition and validity in civil society wrong doing now becomes an infringement not merely of what is subjectively infinite but of the uni versal thing which is existent with inherent sta bility and strength Hence a new attitude ari es the action is seen as a danger to society and thereby the magnitude of the wrongdoing is in creased On the other hand however the fact that society has become strong and sure of itself diminishes the external importance of the injury and so leads to a mitigation of its punishment.

The fact that an injury to one member of society is an injury to all others does not alter the conception of wrongdoing but it does alter it in respect of its outward exi tence as an injury done an injury which now affects the mind and consciousness of civil so ciety as a whole not merely the external embodi ment f the person d rectly injured In hero c times as we see in the tr gedy of the anci nts the citizens did not feel themselves injured by wrongs which members of the royal houses d d to one a other

Implicitly crime is an infinite inju y but as an existent fact it must be measured in quant ty and quality (see Paragraph 96) and sinc its field of e istence here has the es ential charact r of affecting an idea and con ciou ness of the valid ty of the l s its danger to civil society is a d termin nt of the m gnitude of a crime or even o e of its qu litati e characteri tics

No v this quality or magnitude v ries with the state of ci il s ciety nd this is the just ficati f r sometimes attachi g th p nalty f death to a theft of a few pence or a turn p and at other times a light penalty to a theft f a hund ed r more

(γ) The Court of Justice

219 By taking the form of law right steps into a determinate mode of being It is then some th

something universal This is achieved by recog nizing it and making it actual in a particular case without the subjective feeling of private interest and this is the business of a public au

C mp re R ma k t P rag ph 96 and 3 9 —E

subjective freedom, may be regarded as the fundamental thing, to keep before us in considering the necessity for publicity in legal proceedings and for the so-called jury-courts, and this in the last resort is the essence of whatever may be advanced in favour of these institutions on the score of their utility. Other points of view and reasoning about them, several advantages and disadvantages may give rise to an argumentative exchange, but reasoning of this kind, like all deductive reasoning, is either secondary and inconclusive or else drawn from other and perhaps higher spheres than that of advantage. It may be the case that if the administration of justice were entirely in the hands of professional lawyers, and there were no lay institutions like juries, it would in theory be managed just as well, if not better. It may be so, but even if this possibility rises by general ... still

happens, the members of civil society who depend for their livelihood on their industry, their own knowledge and will, are kept strangers to the law not only in those parts of it affecting their most personal and intimate affairs, but also to its substantive and rational basis, the right itself, and the result is that they become the wards, or even in a sense the bondsmen, of the legal profession. They may indeed have the right to appear in court in person and to stand there (*in judicio stare*), but their bodily presence is trivial if their minds are not to be there also, if they are not to follow the proceedings with their own knowledge, and if the justice they receive remains in their eyes a doom pronounced *ab extra*.

229. In civil society the Idea is lost in particularity and has fallen asunder with the separation of inward and outward. In the administration of justice, however, civil society returns to its concept, to the unity of the implicit universal with the subjective particular, although here the latter is only that present in single cases and the universal in question is that of abstract right. The actualization of this unity through its extension to the whole ambit of particularity is the specific function of the Police, though the unification is only relative; it is the Corporation which actualizes the concrete though only as a whole which is restricted. [A.]

See Police, § 33—Ed.

C. *The Police and the Corporation*

230. In the system of needs the livelihood and welfare of every single person is a possibility whose actual attainment is just as much conditioned by his caprices and particular endowment as by the objective system of needs. Through the administration of justice offences against property or personality are annulled. But the right actually present in the particular requires, first, that accidental hindrances to one aim or another be removed, and undisturbed safety of person and property be attained; and secondly, that the securing of every single person's livelihood and welfare be treated and actualized as a right, i.e. that particular welfare as such be so treated.

(a) Police [or the public authority]

231. Inasmuch as it is still the particular will which governs the choice of this or that end, the universal authority by which security is ensured remains in the first instance (*a*) restricted to the sphere of contingencies, and (*b*) an external organization.

232. Crime is contingency as subjective willing of evil, and this is what the universal authority must prevent or bring to justice. But, crime apart, the subjective willing which is permissible in actions lawful *per se* and in the private use of property also comes into external relation with other single persons, as well as with public institutions other than law-courts established for realizing a common end. This universal aspect makes private actions a matter of contingency which escapes the agent's control and which either does or may injure others and wrong them.

233. There is here only a possibility of injury, but the actual non-occurrence of injury is not in this way no just another contingency. The point is that the actions of individuals may always be wrongful, and this is the ultimate reason for police control and penal justice.

234. The relations between external existents fall into the infinity of the Understanding; there is therefore no inherent line of distinction between what is and what is not injurious even where crime is concerned, or between what is and what is not suspicious, or between what is to be forbidden or subjected to supervision and what is to be exempt from prohibition, from surveillance and suspicion, from inquiry and the demand to render an account of itself. These details are determined by custom, the spirit of the

ment of the nature of the case as a unique single occurrence (e g whether a contract &c &c has been made whether a trespass has been committed and if so by whom) and in criminal cases reflection to determine the essential criminal character of the deed (see Remark to Paragraph 119) secondly the subsumption of the case under the law that right must be restored Punishment in criminal cases is a conception falling under this law Decisions on these two different aspects are given by different functionaries

In the Roman judicial system this d stinction of functions appeared in that the Praetor pronounced judgement on the assumption that the facts were so and so and then appo ted a special *judex* to inquire into the facts

In Engl sh law it is left to the insight or ption of the prosecutor to determine the precise cl aracter of a criminal act (e g whether it is murder or manslaughter) and the court is po erless to alter the indictment if it finds the prosecutor s choice wrong

226 First the conduct of the entire process of inquiry secondly the detailed stages of the action between the parties (these stages themselves being rights—see Paragraph 222) and then also the second of the a pects of the work of judgement mentioned in the previous Paragraph are all a task which properly belongs to the judge at law He is the organ of the law and the case must be prepared for him in such a way as to make possible its subsumption under ome principle that is to say it must be stripped of its apparent empirical character and exalted into a recognized fact of a general type

227 The first a pect of the work of judgement i e the knowledge of the facts of the case as a unique single occurrence and the description of its general character involves in itself no pronouncement on points of law This is knowledge attainable by any educated man In settling the character of an action the subjective moment i e the agent s insight and intention (see the Second Part) is the essential thing and apart from this the proof depend not on objects of reason or abstractions of the Understanding but only on ingle details and circumstances objects of sensuous intuition and subjective certainty and therefore does not contain in itself any ab olute objective probative factor It follows that judgement on the facts lies in the last resort with subjective conviction and conscience (*animi sententia*)

while the proof resting as it does on the statements and affidavits of others receives its final though purely subjective verification from the oath

In this matter it is of the first importance to fix

nece s ty and o demands a method other than th t requ ite for the proof of a geometrical theorem

empirical in content l ke a fact the material of knowled e is a given sensuous int ition and subjective sense certainty and stateme ts and aff da its about such mater al It is then a q estion of d awing co clusions and putt g t o a d t o to th r out of d positions of that k d attestat ons and other details &c The objecti e truth hich em rges from material of this kind a d the method appropriate to it leads when attempts a e made to determi e it r gidly and objectively to half proofs and th n by further sincere deducti ns f om these—deductions wh ch at the same time invol e formal illogicality—to extraordinary punishments But such objective truth m ans somethin qu te d fferent from the truth of a rational c teg ry or a p opo it on whose content the Under tand ng has d termined for itself abstractly in advance To sho that si ce the str ctly legal character of a c urt covers c mpetence to ascertai this sort f truth about empirical events it thereby properly qualifies a co rt f r this task a d so g es it an i h t e clu i e ri ht to perform it and lay on it the necessity of perform i g it—that is the best approach to settl ng the question of how f r de i ns on poi ts of fact as well as on points of law should be ascribed to c urts as strictly jurist c bod es [A]

228 When judgement is pronounced—so far as *the function of judgement is the sub umption* under the law of the case whose nature has been settled—the right due to the parties on the score of their self consciousness is preserved in relation to the *law* becau e the law is known and o is the law of the parties themselves and in relation to the *subsumption* becau e the trial is public But when a verdict is given on the particular subjective and external facts of the ca e (knowled e of which falls under the f rst of the aspects described in Paragraph 2 5) this right is satisfied by the conf dence which the parties feel in the subjectivity of those who give the verdict This conf dence is based primarily on the similarity between them and the parties in respect of their particularity i e their social position &c

The right of self consci ness, the mom nt of

E pec lly P g aph 119 —E
I sw a t th best of my bel f o n my co scie ce —Ed

graph 2 7) and broken the bo d of the family—in th wide se e of th clan (s e Pa agraph 81)—thei po erty lea es them mo e r less d pri ed of all th ad ntages of so ety of the pportunity f a q n g skill educat o f any k d as well as of the admin st at o of just ce the publ health serv c s nd oft ne e f th n olati n f religi and o fo th. The p bl c authority takes the pl c f the f m ly her the po r are c ncerned in e pe t ot o ly of the mmediat w t but l o of laz ss of d po t n malign ty a d the oth r es which arise ut of thei pl ght and the r se se f wro g

4 P erty a d n ge eral th dist ss f every kind t wh ch e ry i di dual is ex l

m l ty fi ds plenty to do desp te all pub c o ganizat o S by th d b we both n t elf a d t oper t on d pende t c tinge cy and c eq ently soc ety struggl to mak t less n essary by d co ering the gen ral ca s f penury and ge al mean f its reli f d by rganizing el f a d gly

Cas al alms givin and cas al d wm ts g f th burn ng f lamp b f h ly m ges &c. p plem d by p bli lm h ses h p tal t eet

indi d al t d by himself his privat in lina t on di ect

43 When civil ty is a tate f unim ped d t ty t engag d i xp di g te nally popul t d d try The m g f lth s inte fied by ge liz g (a) the l k e f m n by th eeds d (b) th m th ds f p p g ddi trib t g them t sat fy th se ds beca t s f m th do bl p es f gen ralizati that th la g est p nt deri ed That s de of the p t e The the d the ubd o a d e st ct of part ul r jobs. This r ults in the

See P ragraph 6—ED

depe dence a d distress of the cl ss tied to work of that sort and these again entail nab lity to fe l a d enjoy the b oade freedoms a d e pe cially the int llectual benefits of c il soc ety

44 Whe the sta dard of l ng f a large mass of people f ll below a certain subs tence le el— le l regulat d automat cally as the one nec ssary for a member of the society—and wh n there is a co sequ nt l ss of the sense of right a d wro g of ho e ty a d the self respect — ma ta ning him

hands [A]

245 When the masses begin to decl ne into po erty (a) the burd n of m intaining them at th ir dinary st da d of li ing might be di re tly l d o th we lthier classes o th y might

c a d b t the e l co s ts p e sely an ces f p od t n and in the l ck of pro- p rt ate mber of sume wh th m sel es l p od a d thus t s s mply in t ns fied by b th f the m thods ( ) a d (b) by wh ch t s sought t alle t t It hence be om s appa ent th t de p te an xcess of wealth ci il so ety s not ri h e ugh i e its own reso a nsufficient to check excessi e po e ty d the creation f p urious rabble

I th ex mpl f E gl d w m y t dy th ph men l rg l and l p rti lar th re lt f po rat s, imm f dati limit d pri t ben fi d b ve ll th bo-

tre ts

rest of the constitution contemporary conditions the crisis of the hour and so forth [A]

235 In the indefinite multiplicati

n which everyone confidently expects to be possible of attainment without hindrance and (*b*) the endeavours made and the transactions carried out in order to shorten the process of attainment as much as possible give rise to factors which are a common interest and when one man occupies himself with these his work is at the same time done for all The situation is productive too of contrivances and organizations which may be of use to the community as a whole These universal activities and organizations of general utility call for the oversight and care of the public authority

236 The differing interests of producers and consumers may come into collision with each other and although a fair balance between them on the whole may be brought about automatically still their adjustment also requires a control which stands above both and is consciously undertaken The right to the exercise of such control in a single case (e g in the fixing of the prices of the commonest necessaries of life) depends on the fact that by being publicly exposed for sale goods in absolutely universal daily demand are offered not so much to an individual as such but rather to a universal purchaser the public and thus both the defence of the public s right not to be defrauded and also the management of goods inspection may lie as a common concern with a public authority But public care and direction are most of all necessary in the case of the larger branches of industry because these are dependent on conditions abroad and on combinations of distant circumstances which cannot be grasped as a whole by the individuals tied to these industries for their living

At the other extreme to freedom of trade and commerce in civil society is public organization to provide for everything and determine everyone s labour —take for example in ancient times the labour on the pyramids and the other huge monuments in Egypt and Asia which were constructed for public ends and the workers task was not mediated through his private choice and particular interest This interest invokes freedom of trade and commerce against control from above but the more blindly it sinks into self seeking aim the more it requires such control to bring it back to the universal Control is also necessary to diminish the danger of upheavals arising from clashing interests and to abbreviate the period in which their tension should be eased through the working of a necessity of which they themselves know nothing [A]

237 Now while the possibility of sharing in the general wealth is open to individuals and is assured to them by the public authority still it is subject to contingencies on the subjective side (quite apart from the fact that this assurance must remain incomplete) and the more it presupposes skill health capital and so forth as its conditions the more is it so subject

238 Originally the family is the substantive whole whose function it is to provide for the individual on his particular side by giving him either the means and the skill necessary to enable him to earn his living out of the resources of society or else subsistence and maintenance in the event of his suffering a disability But civil society tears the individual from his family ties estranges the members of the family from one another and recognizes them as self subsistent persons Further for the paternal soil and the external inorganic resources of nature from which the individual formerly derived his livelihood it substitutes its own soil and subjects the permanent existence of even the entire family to dependence on itself and to contingency Thus the individual becomes a son of civil society which has as many claims upon him as he has rights against it [A]

239 In its character as a universal family civil society has the right and duty of superintending and influencing education inasmuch as education bears upon the child s capacity to become a member of society Society s right here is paramount over the arbitrary and contingent preferences of parents particularly in cases where educa
parents but t
must provide
as is practicable [A]

240 Similarly society has the right and duty of acting as trustee to those whose extravagance destroys the security of their own subsistence or their families It must substitute for extravagance the pursuit of the ends of society and the individuals concerned [A]

241 Not only caprice however but also contingencies physical conditions and factors grounded in external circumstances (see Paragraph 200) may reduce men to poverty The poor still have the needs common to civil society and yet since society has withdrawn from them the natural means of acquisition (see Para

g-ph 217) a-d br ken th bo-d of the family—in t-- wider sense of t-e clan (see P-ragraph 3)—t-eir po er le es t-em m re o less deprived of all t-e advant ges f societ of th- opportun of equi-- skill o educa on of a-- kind, as well as f t-e dm--tra o of justice, p b c ealth serv es a-d often even of t- onsol- s of re igion, and o forth. T- pub authority ta es t-e place f the family w ere t- poor ar concerned in respect n t onl of t-eir immedia e want b also of laziness f dispos on, malignity d th ther es which arise ou f their p-- t and their sense f wro-g.

4 Poverty a-d, in general, the distres i every kind t which every i-div dual is exposed from t- start in the cycle f his natural life ha objective d which demands -mils l subject- e aid, a -ng both from the special circumsta- es f a particul-r case a-d also from love a-d sympathy This is th plac w ere m rality finds p enty to d despite all pub organiza on. Subjecti aid, h weve both in itself a-d in i opera on is dependent contingency a-d consequently society struggles t ma less necessary b dis overing the general causes of penury and general means of its relief a-d by organizing reli f cord-gl

Casual almsgiving and casual end wments, e f the burning f lamps be ore h ly images, &c., are supplemented b pc c alms-h uses hospitals street lighting and so f rth. Th re is till qu en h left over a-d above t-ese t-ings f charity t d its wn cc --- A f se ew is m ed both when cha table gifts having t-is poor relief reserved solely t private sympathy a-d t-e accidental occurrence f kn ledge and charitabl d-posi n, a-d also wh-n t feels injured m rtified b universal regulations a-d ordi-ances which are story P- social conditions are t-e co trary t be regarded as all t- more perfect th less (in comparison with what is arranged publicly) is left for a- individual to do by himself as his privat inclination directs.

43. When civil society is in state f unim

dependence and distress of the cl-s tied to wo k of th- ort nd these again entail inabil-ty to feel and njoy the b oader freedoms and especially the intellectual ben fits of ci il society

244. When the tandard of li ing f a large ma s of people falls below a certain ubsi ence l el—a level regulated utomaticall as the one necessary for a member of the society—and when there is a con-equent loss of th ense of rig t d wro-- of honest and the self respect whi h makes a man in-i t on maintaining him e f by hi own w rk nd eff rt the esu is the creati n of a rabbl of paupers At the same tim this brings with t t the he nd of the social sc le nditi -s whi h greatly f cili ate the con cen trati of disproporti -ate wealth in a few h-nd [A.]

5 When the masses begin to decline into po ert (a) t- burden of mai-tainin-g them at t-eir ordinary st-nd-rd of living might be di rectly laid on th- wea-h-er classes r they mi- t recei t-e means f livelihood directly from o--er public urces of wealth (e g from the en d wme-s of rich hosp als m nasteries and o-he f undations) In eit-- case h w ver the needy w uld rece ubsisten directly not by mea-s f th ir w k, and this w uld olate the princip f ci il soc and the feeling f in di dual independen and elf respect in its in d dual members (b) As -n al rnat e they m--h begi en sub istence indirectly through be i-g gi en work, i th opportunity to wo k. In thi event the lum f production w uld be increased, b t th il c nsists p ecisel in an excess of p od ti and in t-e lack of proporti -at umbe f con-umers wh them el es also p oducers and thus t is imply intensified b both of t- m thods ( ) and (b) b wh h t is sought t llevat t. It hence bec mes pparent that despi n e ces f wealth civil society is t ri h en ugh, e its own resources are in-ufficient t check ces e poverty and t-e creatio f a penuri us rabble.

In th examp f England we ma st dy these ph mena large scal and also in particular th results f poo rates, immense f -ndati ns, unlimited privat ben ficence and bove all th bo-

L-bo f men b t- ir need and (b) th met-ods f preparin- -d di trib -ing t- means t sat t-ese eeds because t is f m this dou process f generalizati that t-e larg es pro s are deri ed. That is on de of the picture. Th t-e side is t- ubdi isi a-d e stric on f par cular jobs. This esu-s in t-

See Paragra, 5 s.—Ed.

treets.

rest of the constitution contemporary conditions the crisis of the hour and so forth [A]

35 In the indefinite multiplication and interconnexion of day to day needs (*a*) the acquisition and exchange of the means to their satisfaction—a satisfaction which everyone confidently expects to be possible of attainment without hindrance and (*b*) the endeavours made and the transactions carried out in order to shorten the process of attainment as much as possible give rise to factors which are a common interest and when one man occupies himself with these his work is at the same time d n

public authority

36 The differing interests of producers and consumers may come into collision with each other and although a fair balance between them on the whole may be brou ht about automatically still their adjustment also requires a control which stands above both and is consciously undertaken The right to the exercise of such control in a single case (e g in the fixing of the prices of the commonest necessaries of life) depends on the fact that by being publicly exposed for sale goods in absolutely universal daily demand are offered not so much to an individual as such but rather to a universal purchaser the public and thus both the defence of the public s right not to be defrauded and also the management of goods inspection may lie as a common concern with a public authority But public care and direction are most of all necessary in the case of the larger branches of industry becau e these are dependent on conditions abroad and on combinations of d stant circumstances which cannot be gra ped as a whole by the individuals tied to these industries for their living

At the othe xtreme t f eed —
me ce in civil
vid for everyt
—take for exar
the pyr m ds ui r huge monum nt in Egypt and A ia which wer onstruct d for publ c ends and the wo ker s task w s not m diated through his pri ate cho ce and particular interest This interest invokes f e d m of trade and c mmerce against control fr m above but the mo e bli dly it sinks i to self seeki g aims the mo e it requires such control to bring t back to the u i e sal Control is also necessary to d mi i h th dang r of upheavals arising from clashi g interests and to abbreviate the period in which their tens on ho d be ea ed through the working of a necessity of which they themselves know nothing [A]

37 Now while the possibility of sharing in the general wealth is open to individual and is assured to them by the public authority till it is subject to contingencies on the subjective ide (quite apart from the fact that this assurance must remain incomplete) and the more it presupposes skill health capital and so forth as its conditions the more is it so subject

238 Originally the family is the sub tantive whole whose function it is to provide for the individual on his particular side by giving him either the means and the skill necessary to enable him to earn his living out of the re ources of society or else subsistence and maintenance in the event of his suffering a disability But civil ociety tears the individual from his family ties estranges the members of the family from one another and recognizes them as elf subsistent persons Further for the paternal oil and the external inorganic resources of nature from which the individual formerly derived his livelihood it substitutes its own soil and subjects the permanent existence of even the entire f m ily to dependence on itself and to contingency Thus the individual becomes a son of civil society which has as many claims upon him as he has rights against it [A]

239 In its character as a universal family civil ociety has the right and duty of superintending and influencing education inasmuch as education bears upon the child s capacity to become a member of society Society s right here is paramount over the arbitrary and contingent preferences of parents particularly in ca es where education is to be completed not by the parents but by others To the same end society must provide public educational facilities o far as is practicable [A]

40 Similarly society has the right and duty of acting as trustee to those whose extravagance destroys the security of the r own ub istence or their families It mu t substitute for extravagance the pursuit of the ends of society and the individuals concerned [A]

241 Not only caprice however but also contingencies physical conditions and factors grounded in external circumstances (see Paragraph oo) may reduce men to poverty The poor still have the needs common to civil o ciety and yet since society has w thdrawn from them the natural means of acquisition (see Para

mber fixed by the gen ral structure of socie (c) t protect s members a inst particular contingencies (d) t p ov d the education req- ui et f oth rs to becom members In hort it right is to come on the scene li second fami fo its members whil vil society can only be ude rminate sort of family because comprises every e and so is farth r emoved f om individuals and the r pecial xigencies

t is na ure as particula

53 In t C rpora on the family has its sta l ba is in the ense that ts li lihood is assured there onditionall upon capability has a stabl cap l (see Paragraph o) In dd on this rus f cap b and li elihood is e gu d f t with th es lt that the C pora on member eeds x mal mar be yond his wn membersh p as ev de ce f his kill and hi egula c m and sub tence e as ev der that he somebod It is also ecognized that h belongs t a wh l which is tself an rgan f th entir soci ty and that he is ct l on erned in p m ting the c mpara tiv l disin erested end f this whol Thus he commands the espect due t e in his social pos tion

Th ins tutio f C rporations correspo ds, ac count f assurance f capital, t th introducti f gricul ure and p vat property in another sphere (see Remark to Paragraph 3)

When m aints re mad about th luxury f th business classes and their pass f extra a gance— hich have their concomitant th cr ion f rabl f pa pers (see Paragraph 244)— we must f r e that besides ts her causes (g. increasing mechaniza io f labour) this phen m no has an thical ground, as was indicated bove. Unless h is member f th zed C rpora tion (d t is only by bein thorized that an as socia becomes C rporatio) an individual is bo ra k dign y his isola io red ces his busi es mere self seekin nd h livelihood and

See dd ion to Paragra h —E
See P ragraphs 5 nd 3—Ed.

satisf ctı bec m insecure C nseq tl h has t try t gain ecognitio f himself b gi ing ex ternal proofs f ccess in his business and to these proof Emis can be set. H cann t fi m th manne f his clas f class really exists f him sin civil soci ty t is nl something comm t particula persons which really exist. som thing legally const t ted and recognized. H ce h ca mself way f h prope to his

perf rm their duties t their f ll w associat d thus riches cease t inspire either prid envy prid in their wners, en y in th rs. In these ditions rectit d b ains its proper recogni and respect.

4. The so-called natural right of e ercising n s kill and th eby earnin what there is to be earned is restricted w thin the Corporation o ly in o f r as t is therein made rat nal in stead f natural. That is to say it bec mes freed f m pers al pinion nd co tingency sa ed f m endangerin either the indi dual wo k man r others rec gnized, guaranteed, and at the sam time l rated to consci us effort for a common end.

2 5 As th family was the first so the Co porati is the econd ethical oot of th state th e planted in ci il societ The form con tains th moments of ubj cti e particularit

of bstract right In the C rporati these mo- ments united in an inward fashion o that in this union part ular welf re is present as a right and is actualized.

Th sanctity f marriage and th dignity f Co porati membership ar th tw fixed points round which th un rganized t ms f civil society re- vol [A.]

256 The end of the C rporati n is restricted and fini while th publi authorit was an ex ternal organization in ol ing separatio and a m rely lati dentity f ont ller and con trolled. Th end of th f rmer and the ext rnal ty and relati de t ty f th latter fi d th ir truth in the absol ly uni ersal end and ts b- so e actuali y Hen e th sph re of ci il o- ciety passes o er into th tate.

Th t wn is th seat f th civil lif f business. Th re reflecti rises, t rns in upo tself and pu sues its t rning task each man maintains himself

246 This inner dialectic of civil society thus drives it—or at any rate drives a specific civil society—to push beyond its own limits and eek markets and o its necessary means of subsist ence in other lands which are either deficient in the goods it has over produced or else generally backward in industry &c

47 The principle of family life is dependence on the soil on land *terra firma* Similarly the natural element for industry animating its out ward movement is the sea Since the passion for gain involves risk industry though bent on gain yet lifts itself above it instead of remain ing rooted to the soil and the limited circle of civil life with its pleasures and desires it em braces the element of flux danger and destruc tion Further the sea is the greatest means of communication and trade by sea creates com mercial connexions between distant countries and so relations involving contractual rights At the same time commerce of this kind is the most potent instrument of culture and through it trade acquires its significance in the history of the world

Rivers a e not natural boundaries of separation which is what they have been accou ted to be in modern times On the contrary it is true t say that they and the sea likewise link men together Horace is wrong when he says

> *de s ab c d t*
> *prude s Oceano d sociabil*
> *terras*

The proof of th s l es n t mer ly in the f ct that the ba ins of rivers are inhabited by a single clan or tribe but also for example in the ancient bonds be tween Greece Ion a and Mag a G aec a bet een Brittany and Br tain bet een Denmark and Norway S eden F nland Livonia &c bonds further which a e especially striking in contrast ith the comp r atively slight inte course bet een the i hab ta ts of the litt l and tho e of the hinterland To real e what an instrum nt of lt e l s i the l k w th the sea co sider countries he e industry fl uri hes and contrast th r rel t to the sea with that of countries which ha e esch d sea far d wh ch like Egypt a d I dia have become stagnant and sunk in the most frightf l a d sea d lous s p rsti tion Not ce also how all great progressi e peoples p ess onward to the sea

48 This far flung connecting link affords the means for the colonizing activity—sporadic or systematic—to which the mature civil society is driven and by which it supplies to a part of i s population a return to life on the family basis in a new land and so al o supplies it elf with a new demand and field for its industry [A]

Cf Ka t *C i q e of A th ti J dgm t* § 9 Al H g l *Philo phy f H t y* th sect th G g ph cal I of H t ry espec lly pp 95 ff —Eo *Od* I i [II 2 3 God f set p rpose ha d ed the la d by the estra gi g se]

249 While the public authority must also un dertake the higher directive function of pro viding for the interests which lead beyond the borders of its ociety (see Paragraph 246) its primary purpose is to actualize and maintain the universal contained within the particularity of civil society and its control takes the form of an external system and organization for the pro tection and security of particular ends and in terests *en masse* inasmuch as these intere ts subsist only in this universal This universal is immanent in the interests of particularity it elf and in accordance with the Idea particularity makes it the end and object of its own willing and activity In this way ethical principles circle back and appear in civil society as a factor im manent in it this constitutes the specific char acter of the Corporation

(β) The Corporation

50 In virtue of the substantiality of its natu ral and family life the agricultural cla s has di rectly within itself the concrete universal in which it lives The class of civil servants is uni versal in character and so has the universal ex plicitly as its ground and as the aim of its activ ity The class between them the business class is essentially concentrated on the particular and hence it is to it that Corporations are pecially appropriate

251 The labour organization of civil soci ty i split in accordance with the nature of its par ticulars into different branches The implicit likeness of such particulars to one another be comes really existent in an association as some thing common to its members Hence a elf sh purpose directed towards its particular elf interest apprehends and evinces itself at the same time as universal and a member of civil society is in virtue of his o n particular skill a member of a Corporation whose universal purpo e is thus wholly concrete and no wider in scope than the purpose involved in business its proper task and interest

252 In accordance with this definition of its functions a Corporation has the right under the surveillance of the public authority (*a*) to look after its o n interests within its own phere (*b*) to co-opt members qual fied objec tively by the requisite kill and rectitude to a

sinct, for instance, or divine uth rity which has — ly Un rtuna ely however

t..eir opinion, and t..eir capriciously given exp ess consent and abstract reasoning, proceeds t draw the logical inferences which destro th bsolutely divine principle f t.. sta together with ts majesty and abso — t.. rity F t.. s reason, when t..ese bstract co clusions cam t..t power t..ey af forded f the first time in human his ry the prodigious spectacle f t..e vert..row f t.. constitu-

t..ey alleged was purely rational basis, but t was only bstractions t..at were bein.. used th Idea was lacking and t.. experiment ended in t.. maximum f fright fulness and terro

C fronted with t..e claims made f t.. individual will, we must remember t.. fundamental conception t..at t.. bjective will is ratio..ality in.. it or in conceptio n, whether it be recognized not by individ..als, whet..er their whims be deliberatel for it not. W must remember that its opposite i.e. knowing and willing subjective freedom (t.. sol t..ing co ..ained in t..e principl f t..e individ ual will) comprises nly ..e momen and theref re e-sided moment. f t..e Idea f the ratio..al will, i.e. f t..e will which is ratio..al solely because what it implicitly t..at it also is explicit ly

The exposi t..inking f the sta as somet..ing t be known and prehended as exp citly rational is taking ex ernal ppearances—i.e. co ..tingencies such as distress, need f protection, f rce, riches, & —not as moments in the stat hist rical development, b t as its substance Here ..ain w..at consti.. es t.. guiding t..read f discovery is t.. individual in isolation—not, however even so much as t..e though. f t..s indivi uality b t instead n.. ly empirical i.. . uals, with ..entio focused their accide tal characteristics, t..eir strength and weakness, riches and povert &c. This ingenious idea f ignoring t.. bsol.. infinity and rationality in t..e .. and exclu..ing t..ose t from prehension f its inward nature has assured ever been put forward in such an una ..tera ed f rm as in Herr vo Haller F stauratio der S ..s wissenschaft. I say unadulterated, because in all other tempts grasp the essence f t.. state no matter on ..a one-sided superficial principles, t..is very i.. ention f comprehending the state ra onally has broug with thoughts, i.e. ..iversal determinations Herr vo Haller however with his eyes open, has not merely renounced t..e ratio..al material f

which th state consists, as well as the f rm f t.. ught, but he has even gone on with pass ..ate f rvour t inveigh against t.. f rm and th material so set aside. Part what Herr vo Haller assures us is th "wi.. spread" ect f his princi les, this R storatio und btedl wes t th f ct that, in his expositi n, h has deliberatel dispensed with t.. ught altogether and has d liberat l kept his wh book all f piece with its lack f th u.. t. For in t..i wa he has liminated th confusio and disorder w..ich lessen t.. f rce f an exposi where th ccidental is treated alon.. with hints f th s b-stant..al, where th purely empirical and external are mixed with reminiscence f t.. universal and rational, and where in t.. midst f wretched i..ani ties the reade is w and again reminded f t.. lo ier sp ere f t.. i.. ite. F the sam reason again his expositio is consi..tent. H takes as th

I have described the book sufficiently t show t..a

passages. This is how he lays down (vol. pp. 34 ff. [pp. 36 ff.]) his mos important basic proposition Just as, in t..e inorganic world, the greater displaces the less and the mi..ty the weak so in the animal kin dom, and then amongst h man beings the same law appears in nobler (ften, oo surel in ignobler) forms and [p 375] "t.. theref re is the eternal un altera l ordinance f God, tha the mightier rules, must rule, and w l always ru I is clea enough from t..is, let alone from wh.. fo..ows in wh.. sense "migh is taken here I is not the migh f justice and ethics but

in and through his relation to others who like him self are persons possessed of rights The country on the other hand is the seat of an ethical life resting on nature and the family Town and c untry thus con stitute the two moments still ideal moments whose true ground is the state although it is from them that the state sprin s

The ph losophic proof of th c

t
t asesJ that show oi mediation is now cancelled and the state has be come d rectly present before us Actually therefo e the state as such is n t so much the result as the be ginning It is within the state that th f
d
s
n soc ety
th sta ice of ethical life acquires ts inf nite form wh ch c ntains in it elf the e t o moments (1) inf n te differentiation down to the
of
t
s ty n laws and institut ons which are its will in terms of thought

Sub section III

THE STATE

257 The state is the actuality of the ethical Idea It is ethical mind *qua* the substantial will manifest and revealed to itself

know ledge and activity while self consciousness in virtue of its entiment to wards the state finds in the state as its essence and the end and product of its activity its sub stantive freedom

The *Pen*
so ld the
is the div n
ety is feel n ect d by feel ng pol tical v tu the will ng of th ab olute end in terms of thought

258 The state is absolutely rational inasmuch as it is the actuality of the substantial will which it possesses in the particular elf consciousness once that consciousness has been raised to con

sciousness of its universality This sub tantial unity is an absolute unmoved end in itself in which freedom comes into its supreme right On the other hand this final end has supreme right against the individual whose supreme duty is to be a member of the state

If the state is confu ed with civil society and if its specific end is l id down as the securit
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ter
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the state
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self has
ethical l f pure and simple is the true content and aim of the individual and the in livid ual s destiny is the living of a u iversal l fe H further particular satisfaction activity and mod of conduct have this substantive and universally valid life as the r starting po nt and th ir result

Rationality taken generally and in the ab tract consists in the th roughgo ng un ty f the un versal and the single Rat nality c ncrete in the state consists (*a*) o fa as ts content is concerned in the unity of objective freed m (i e fr edom of the u ve sal or substant al will) and ubjecti e freedom (i e freedom of everyon in his kn wing and in his vol t on of
so far as
action on
so univ rs
necessa y b ng i m nd

But if we ask what i or has be n the historical ori gin of th state i general t ll more if we a k abo t the rig n of ny p rticular state of its r hts a d institut ons r again if we inqu re hether the state rig n lly aro e out of patriarchal cond tions or out of fe r or tru t o ut f C rp ati n &c or f nal ly if we ask in wh t l ght th ba of the tat s rights ha been n et d and c nsc ously estab- l hed wh the th s b s h been supp ed to be pos tive d n right o c ntra t custom &c — ll the e qu st on no ncern of th I le of the st te W e her de l ng w l s h th the ph lo- sophi c nce f th t te l f m th t point of vi all these things a m appea anc a l th re fo e matte s fo hi t y S fa tl uth rity f any e sting st t has a yth g t d with r a n the e eas n e c ll d f m th f rm f the law authoritat v thin t

The ph l oph c l t e tm nt of thes t p cs is c n c rne f
of th
t o
d c
d c
f rm
thi ki e l k gregari u l

See P g ph 78 —E
W th th R m rk c mp re R ma k t P rag phs 163 a d 166 —E

See P g phs 3 4 —E

will t.e universal in th light of the uni ersal and t.eir acti ty is consciously aimed at none but t. universal end. The principle f modern states has prodigious rength and depth because it allows the princip f ubjectivit t pro ress t its culmination in th extreme f elf

subjectivity itself [A.]

61 In contrast with the sp eres f priva e rights and priva e welfare (the family and civil

other hand, however it th end immanent w in them and s enth lies in the unity f its own universal end and aim with th particu lar i. erest f indi duals in th f ct that in di duals have d es to the st e in proportion as t.ey ha e rights agai st i (ee Paragraph 155)

In t. Remark t Paragra h 3 bove reference was mad th f ct tha it was M tesquieu bove all who in his famous wo k *The Spirit f La* kept

gen n dentity b t ly as similarity f cont t, because in them this co tent is determined as quit gen ral and is simp t.e fundamental princip. f both ri t and d ty e. th principle that men as persons, are free. Slaves, th refore have n d ties because they have no rights, and vice versa. (R li gious d ties are t here in point.)

I th course f th inward devel pm t of the concre Idea, h we er s m ments becom dis tinguished and th ir specific d t rminacy becomes t the sam tim difference f co tent. In the fami ly the co tent f so d ties t his f ther d ers from the co en f his rights against him th co tent f th rights f member f ci il society is t t sam as th co tent of his d ties t his prince nd go ernment.

This concept f t. unio f duty and right is point f vital importance and in it th inner strength f states is contained.

Duty its bstract si goes n f rther tha th persi ent eglect and proscripti f ma par ticular in erest, th ground that t is th inessen tial, even th discreditab m ment in his life. Du y taken concret ly as Idea reveals th m ment f pa ticularity as tself essential and so regards its satis f ctio as indisputably necessary. In whatever wa an indi idual may fulfil his duty h must t th sam time find his ccount therein and ttain his

notion f always treating t. part in s relati t t.e wh e.

Duty is primarily relatio t somet.ing which from my point f view is substantive, bsolutely universal. A right, th ther hand, is simply the embodiment f t.is substance and thus is the par ticular aspect f it and en.ances m particular freedom. Hence b ract levels, right and duty appear parcelled o different sides in diff ren per sons. In the sta as somet... ethical as th m er penetra f t. bstantive and the particular m ation to what is substantive is t t. sam time t.e embodiment f m particular freed m. This means that in t. ta d and ri.ht are uni ed in ne and the same rea ion. B t further since none th less the distinct moments cquire in the st t. s ape and reality peculiar t each and since t.ere re the distinctio between ri. and d y en ers here once again. f llows that whi.e im ...ly ie ti f ... identical, t.ey t the sam time differ in co tent. In th spheres f personal rights and morality t. ecessary bearing, f right and duty ne nother falls s rt f ctualization and hence t.ere is at that point nly an bstract similarity f co en between t.em, i.e. in those b tract spheres, at is one man right ught also t be another's, and at is ne man duty ough also t be another's. Th bsol te identi y f right and duty in the sta present in these spheres t as

individual so far as his d ties are co cerned, is in subjecti b t as membe f civil iety h finds in fulfill... his d ties t t protecti n f his person and property regard f his privat welfare th satis f ctio f the depths f his being th nsci us ess and feelin f himself as member f the wh l and, in so far as h com etel fulfils his d ties b perf ming tasks and services f th st t h is upheld and preserved. Tak d ty abstractly and th universal interest would consist simply in th mpletio as duties f th tasks and services which t exacts. [A.]

6 Th ctual Idea is mind, which, sunde ing tself int th two deal spheres of ts con cept famil and civil soc ty enters upon ts finite phase b t t does only in rder t rise above its idealit and bec me explicit s in finite ctual mind. It is th ref e to thes deal spheres t.a th ctual Idea as igns the mat rial of th s finite actuali y viz. human beings as a mass in such a way that the function assigned to any gi en indi dual is visibl mediated by circumstan es his capric and his personal

See Hegel second footnote t the Remark to Paragraph —Ed.

259 The Idea of the state

(*a*) has immediate actuality and is the individual state as a self dependent organism—the *Constitution* or *Constitutional Law*

(*b*) passes over into the relation of one state to other states—*International Law*

(*c*) is the universal Idea as a genus and as an absolute power over individual states—the mind which gives itself its actuality in the process of *World History* [A]

A *Constitutional Law*

260 The state is the actuality of concrete freedom But concrete freedom consists in this that personal individuality and its particular interests not only achieve their complete development and gain explicit recognition for their right (as they do in the sphere of the family and civil society) but for one thing they also pass over of their own accord into the interest of the universal and for another thing they know and will the universal they even recognize it as their own substantive mind they take it as their end and aim and are active in its pursuit The result is that the universal does not prevail or achieve completion except along with particular interests and through the co operation of particular knowing and willing and individuals likewise do not live as private persons for their own ends alone but in the very act of willing these they

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the ı oc t I mb &c &c H Halle fo get

r ghtf l f eed m A d these th ee m th d e—what
d y pp se?— ( ) P l pta ce d i c l

tua us y ca f po h u
God

will the uni ersal in th light of the uni ersal g in id tity b t nly as simil rity of c t nt th m this t t is d t rmi d as q te l aimed at no e

subj cti ty ts ll [A]

h h s he es of pri ate

d g mm t

This cept f th mo f d ty and ri ht is point f vital mp rta d in t th in er t gth f tat is co tain d.

T rth f h th

155)

I th Rem k t P ragr ph 3 b f e wa m d t th f ct th t t was M tesq b all wh in his fam us k *Th Spir t f Law* k pt in ght and tried t k t in d tail both th th ght f th depend ce f l ws—in p rt cul laws rning th right f pe ns—o th pe cifi chara te f th tate and lso th ph l phic ti f alw y t eati g th p rt in ts lati t th h l

D ty is primarily l t t something wh ch from my point f vi w is b ta ti bsol t ly uni rsal. A ght, th th hand is simply th embodim t f thi b ta d th th par ticula spect f t d sh in my p rt la f *d m H* t bstra t le ls, ght d d ty ppear p re lled t diff t des d ff t p sons. I th tat as m thing thical th int pe etrati f th b ta t d th p rticula my b ng ti t what is bstant is t th sam tim th emb dim t f my part cula f eed m. This m ans th t th tate d ty d right nited i d th sam l t B t f th since th less th distu ct m m ts q ir n th tat th hape d reality pec lia t ch d sinc ti f re th di t ct b tw right and d ty *ent ra b ain t f ll w th t* whil implicitly in f rm d tical they t th sam tim diff in t t I th ph es f pe so al rights d m lity th ecessary bear g f right d d ty ther f lls sh rt f t al zati and hence th re is t th t po t ly b t t similarity f tent bet th m i.e in those b- tract ph es, hat is ma right ght lso be th s, d h t is m d ty ght lso t be ther' Th bsol t id tity f right and d ty in the stat is prese t in these sph res t as d t by pe f rming tasks d rvi es f th *t f* h is ph ld d p eserv d T k d ty b tra tly d th ni rsal int est w uld sist simply in th mpl ti as d t f th tasks d vi wh ch t ct [A]

6 The a tual Idea s mi d wh ch s d ing tself i t the tw deal sph res of ts con pt f mily and il soc ety enters up n ts *finite* pha b t t d o ly *in* d r t rise bo ts d lity a d become xplic t fin te actual m d. It th fo e to thes ide l sph e that the actual Id a gn the mate l of this ts fi te t lity viz h m beings as a ma uch a way th t the fu ct n s gned to y gi individ l is vis'bly mediated by circum tan es his capri e nd his p o al

See H gel sec d footn h R ma k to Par graph 7 —E

259 The Idea of the state

(*a*) has immediate actuality and is the individual state as a self dependent organism—the *Constitution* or *Constitutional Law*

(*b*) passes over into the relation of one state to other states—*International Law*

(*c*) is the universal Idea as a genus and as an absolute power over individual states—the mind which gives itself its actuality in the process of *World History* [A]

A *Constitutional Law*

260 The state is the actuality of concrete freedom But concrete freedom consists in this that personal individuality and its particular interests not only achieve their complete development and gain explicit recognition for their right (as they do in the sphere of the family and civil society) but for one thing they also pass over of their own accord into the interest of the universal and for another thing they know and will the universal they even recognize it as their own substantive mind they take it as their end and aim and are active in its pursuit The result is that the universal does not prevail or achieve completion except along with particular interests and through the co operation of particular knowing and willing and individuals likewise do not live as private persons for their own ends alone but in the very act of willing these they

the ce t l mb &c &c He r o Halle fo gets

learn th t t is ly i bo ks that thes t pl al l ws wh e c -op t h t ed i t ry

God

will t.. universal in the light f th uni ersal and their activ tv is consciou.ly aimed at none but the uni ersal end. The principle of modern states has prodigious strength and depth because it allows the princ ple of ubjecti ity to prog ress to its culmination in the extreme of elf subsistent perso..al particulari y a d yet t the same tim brings t back to th bstantive un ty and o maintains this unity in the principle of subjecti y i..elf [A.]

261 In con..ras with the pheres of pri ate rights and private w lfare (th family and civil

w

di d..als have d.. es t the tate in proport on as they ha rights against it (ee Paragraph 155)

In th Remark t Paragraph 3 bove reference was mad t th f ct that t was M tesqu bove

f—

noth l always treatin th part in ts relati t the wh le.

Duty is primarily relati t something which from my point f view is substantive, bsolut ly universal. A right, th ther hand, is simply th embodiment f this substance and thus is th par ticular aspect f t and enshrines my particular free *dom* Hence t bstract levels, right and d y ppear parc lled t diff rent des in di.. re t per sons. I t.. st te, as som thing thical, as th inter penetrati f th substanti and th particular my bligati t what is substantive is t th sam tim t.. embodiment f my particular freed m. This means that in th stat d d right are united in ne and the sam relati n. B t further since th less th distinct m m s equ.. m t..e state th shape and reality peculiar t each d since t..ere re th distinctio between right and duty en ers h re ce again. t f llows that whil imp ci y t..e in f rm den cal, they t th sam tim di..er in co tent. I th spheres f personal

gen..in identity b t nl as a similarity of co tent, because in th m this co tent is determi ed q t gen ral and is simply the fundam tal principl f both right and d ty i.e. th principl that men as perso..s, re free. laves, th ref re ha e n d ties because the have rights, and vice ersa. (R li gious d ties re t h re in poi..t.)

I th co rse f th inward dev lopm t f the concret Idea h w e t m ments becom dis tinguished d th ir specifi d terminacy becomes at the sam tim difference f co tent. I the f mi l th co tent f so d ties t his f ther di ers from th co t t f his rights gain..t him th co tent f th rights f member f ci il society is t th sam as th co tent f his duties t h..s prince d go ernm t.

This concept f th unio f d ty and right is point f vital importance and in t th inner strength f states is co tained.

individual so far as h..s d ties are co cerned, is in bjects b t as member f civil *ociety* h fi ds in fulfilling his d ties t t protecti of his perso and property regard f his pri at welfare the satisf cti f the depths f his being th conscious ess and feelin.. f himself as member f th wh and in so far as h complet ly fulfil his d ties by perf rmin.. ta..s and services f th t t h is upheld and preserved T k d ty bstractly d th ni ersal terest w uld consist simply in th compl tio as d ties f th tasks and services which t exacts [A.]

62 Th actual Idea is mind, which sunde ing itself int th two ideal spheres of its c cept family and ci il soc ety t rs upon its finite pha.. but t does nly in order t rise bov ts idealit and becom explicit as in finite ctual mind. It is th efore t these ideal sph res that the actual Idea as gns the material of this ts finit ctuali y iz. human beings as a mass in ch a way that the function ass gned t any gi en indi du l is visibly m diat d by circumstances his capric and his personal

See H gel second footnot t the Remark to Paragraph 7 —Ed

choice of his station in life (see Paragraph 185 and the Remark thereto) [A]

63 In these spheres in which its moments particularity and individuality have their im mediate and reflected reality mind is present as their objective universality glimmering in them as the power of reason in necessity (see Para graph 184) i e as the institutions considered above [A]

264 Mind is the nature of human beings *en masse* and their nature is therefore twofold (i) at one extreme explicit individuality of con sciousness and will and (ii) at the other ex treme universality which knows and wills what is substantive Hence they attain their right in both these respects only in so far as both their private personality and its substantive basis are actualized Now in the family and civil society they acquire their right in the first of these re spects directly and in the second indirectly in that (i) they find their substantive self con sciousness in social institutions which are the universal implicit in their particular interests and (ii) the Corporation supplies them with an occupation and an activity directed on a univer sal end

65 These institutions are the components of the constitution (i e of rationality developed and actualized) in the sphere of particularity They are therefore the firm foundation not only of the state but also of the citizen s trust in it and sentiment towards it They are the pillars of public freedom since in them particular free dom is realized and rational and therefore there is *implicitly* present even in them the union of freedom and necessity [A]

266 But mind is objective and actual to itself not merely as this necessity and as a realm of appearance but also as the ideality and the heart of this necessity Only in this way is this sub stantive universality *aware* of itself as its own object and end with the result that the necessity appears to itself in the shape of freedom as well

267 This necessity in ideality is the inner self development of the Idea As the substance of the individual subject it is his political senti ment [patriotism] in distinction therefrom as the substance of the objective world it is the organism of the state i e it is the strictly polit ical state and its constitution [A]

Se P r g aphs 73 76 —E

268 The political sentiment patriotism pure and simple is a sured conviction with truth as its basis—mere subjective assurance is not the outcome of truth but is only opinion—and a volition which has become habitual In this sense it is simply a product of the institutions subsisting in the state since rationality is *actu ally* pre ent in the state while action in conform ity with these institutions gives rationality its practical proof This sentiment is in general trust (which may pass over into a greater or lesser degree of educated insight) or the con sciousness that my interest both substantive and particular is contained and preserved in another s (i e in that state s) interest and end i e in the other s relation to me as an individual. In this way this very other is immediately not an other in my eyes and in being conscious of this fact I am free

Patriot sm is often understood to mean only a read ess for exceptional sacrifices and actions Es sentially however it is the sentiment which in the relat onships of our daily l fe and under ord nary cond t ons habitually recognizes that the commu n ty is one s substantive ground rk and end It is out of this consciousness which during l fe s daily rou d stands the test in all ci cumstances that there subseque tly also arises the re d ness for ext aordi nary e e t o s But s ce men would often rather be magn n mous than law ab d n they read ly per suade them elv s that they possess this except o al patriotism in order to be sp ri g the exp ess o of g p t iot c s t ment or to e cuse their lack of it If again this genu ne pat iot m is looked up n as that which may begin of it elf and arise

269 The patriotic sentiment acquires its spe cifically determined content from the various members of the organism of the state This organism is the development of *the Idea to its* differences and their objective actuality Hence these different members are the various powers of the state with their functions and pheres of action by means of which the universal contin ually engenders itself and engenders itself in a necessary way because their specif c character is fixed by the nature of the concept Through out this process the universal maintains its iden tity since it is itself the presupposition of its own production This organism is the constitu tion of the state [A]

2 o (i) The abstract actuality or the sub stantial ty of the state consists in the fact that its end is the universal interest as such and the conservation therein of particular interests since

f these po se gainst th m th rights f reaso d self c ci es

l Th essence f th relati betwee religi a d th state ca b d t rmin d b w ly if w re call th cept f religi Th c t t f religio is bsol t truth d conseq tly th religi us is th m t s blim f all di po t ns. As i t ti feeli g represe t t kn ledge its task is co ce trated po G d as th restrict d pri cipl d ca se wh ch erything h g It thus in l es th d m d th t ev rythi g lse sh ll be see t f corroborati

ti d ther s prem blig t n ess, bec se rt lit

and f rth r t ts with pr ci e knowleug o xisting c diti ns and circum tances ina much as ts cti ns ha e a beari g these

Th is th pla t all d t th rel ti f th tat t ligi beca se it is ft re t rated wa days that relgi is th basis f th tat and be cause th se wh m k this ass rti ve h e th m d pol

l

d th t peopl re ref rred t t as sol ce f f wr g as h pe in mpe sati f l ss Th f rth whil th tat is m d earth (*der Geist der der W lt t ht*) rel gi m som times b l k d po as mm di g d wnright indiffer ence t rthly t rests th m ch f ent and curre t ffairs d so t t m m tt ti t religi d es t seem t be th w t exalt th in t est d busi ess f th tat int th f dam tal and seri us aim f li On th trary this g gesti seem t sert th t politics is h lly m t te f caprice and indiff re ce eith beca this a f talking m l am ts t saying th t it is nly th aim f pas and l wl ss f &c. which bear ay in th tat beca se this ecomm da

this f rm f exp and mak it th th rity f th tat d ts esse tial d t rmina t th t t must bec m prey t weakness insecurity and

See *Enc* [ed] § 453 [3rd edn § 553]
Rel g k ledge d sci ce h as th pri ci pl f m pec l ch d d ff from th t f th ta Th y h f re et h ta partly m —mea to ed tion d [h gh] m tal y—p ly in f they l esse ce nd i themsel es f

f rm l ding t th harshest bo dage in th f tt rs f persiti ti nd man degraded b rvien t nimals (Th Egyptians and th Hindus f in stance rev re animals as beings high than them sel es) This ph men may t least mak t vi dent th t ght t t peak f ligi t all in g ral t rms and th t w eally ed po t protect us from it in som f its f rms and t es-

disorder bec u e it is an organi m i v l ch firmly fi ed di tin t po vers laws and in titut ons have been developed In contrast with tl e f rm of reli gion a form which dra s a veil over everything de terminate and so comes to be purely subjective the objective and universal element in the state i e the laws acquires a ne ative instead of a stable and au thoritative character and the result is the produc tion of maxims of conduct like the following To the righteous man no la v is given only be pious and for the rest practise what thou wilt y eld to

dispos tion and att tude of m nd it may turn in stead to the out de world and as ert its authority

infinity and at the same time pro cribes private property marriage the ties and wo k i volved in c vil society &c &c as degrad n to love and the f eedom of feel ng But since even then decisions must somehow be made for everyday life and prac tice the same doctrine which we had before (ee Remark to Paragraph 140 where we de lt generally with the subjectivity of the will wh ch knows it elf to be absolute) turns up again here namely that subjective id as i e opinion and capr cious inclina tion are to do the deciding

In contrast with the truth tl us veiled beh d sub jecti e ideas and feeli gs the genuine truth is the prodi ious transf of the i ne i to the outer the building of reason into the r al world and th has been the task of th wo ld during tl e whole course of its h story It s by wo ki g at th s task that civi l ed man has actually g ven rea on an embodime t i law and government and ach eved consciousness of the fact Those who eek guidance from the *Lord and are assu e l that tl e v hole t uth is d* rectly pre ent in thei unschool d opin ns fa l to apply them elves to the t sk of exalti g their s b jectivity to consc s ss of the t th and t kn l edge f duty and objecti e right The ly p s bl fruits of th att tude are follv abominati n and the demoliti n of the whole eth cal order and these fruits must in v tably be reaped if the r l gi us d s po ition holds firmly a d e clus vely to its intuiti e form and so tu s aga nst the real w ld a d the truth present in it i th form of the uni ersal i e of the la s Still there is no n cess ty for this di position to turn outward and act l its lf i this

qu esce in the e with sneers and idl l g gs, or with a igh of resignati n It is not strength b t weakness h ch has turned rel ou feel n wa days into piety of a pol m cal kind wheth r the

polemic be connected with some genui e need or sim ply with un atisfied vanit In tead of bd

knowled e of objective truth Along this l ne we may preserve a feeli g of abject humil ty and o al so of self conceit and claim to have read to ha d in godl ness everything requisite for see n into the heart of law and government for passing entence on them and laying down what their character should d must be and of course if we take this l ne the ource of our claims is a pious heart and they are therefore infallible and unimpeachable and the up hot is that since we make relig on the basis of our intentions and assertions, they cannot be c t cized on the score of their shal owness or their immorality

But if rel on be rel gion f a genuine kind it does not run counter to the tate in a negati e or po lemical w v l ke the kind ju t described It rath r recogn z s the state and upholds it and fu thermore it h s a position and an external org nizat on of its own The practice of its worsh p con ists in r tual and doctrinal instruction and for th s purpose pos sess o s and property are required as well as i vid als dedic ted to tl e service of the flock There thus ari es a relati n between the tate a d the church To determ e this r l tion is a simple mat ter In the nature of the case the tate d charges a duty by affording every assi tance and p otect n to the church in the furtherance f its rel g ou ends and in add tion i ce rel g on is an integrat g fac tor i th state mpl nti g a sen e of unity in the depths of me s minds the state should even req all its citizens to belong to a ch ch—a chur h is all th t can be sa d beca se si ce the conte t of a man s faith depend n his private ideas the ate ca ot i terfe e th it A state wh ch is strong be cause its org n z t on is mature may be all the mo e liberal in this matter it may ent l ove l ok d tail f rel g o s pract ce which affect it and may *even tolerate ect (thou h f c urse all d* pends on its numbers) h l rel gious grou s d cl es to reco nize e en its d ect duties to the tate The rea s n fo the t te s l beral att tude h re is that it makes o er the meml e f uch ects to c ilsociety and its l ws and is content if th y fulfil th ir d rect dut e t th st t p i ely fo i tance by such m ans as c mmutati n or the perf rm nce of a d f fer nt service

Q k A b ptl ts &c m y be sai l t be a tl e

str t se se f the w l bec se Inc they decl ne t ec gni the l d y t t t they m y t l im the g t f tize hip On ne occ wh th lme

B t since th ch rch wns p perty and carnes
ervdes he practice f w rship and ance th ref re

oversight f the higher state fficials Doctrin as
d mai in consci nce and falls

1

course that churches have managed f ex mp their
minist rs and property from th power and juris-
dictio f th tat d they ha eve arrogated to
themselves jurisdicti la men well in mat

1

mental, ends. It ma take tself t be th Kingd m
f God, t least as th ro d t t its vestibule

lition f the sl ve-trade was being pressed with great

d manhood so far from being mere uperficial,
ract ual ty (see R mark P ragraph 09) is
the con rary tse f the basis f the fact t a ha ci il
his rouse the possessors is the feeling f oneself
com m ci l socie y person with righ s d
th fee'in f sel hood, ... and f ee from all r
ncti... the root from which the desired simil
m dispositio nd ys f thinking comes into being. T
excl e the Jew from ci il gh on the ther hand
ould rathe be to confirm the isolation th hich they

principl f ts wn, and with even better justifica
ti may regard themsel es as occupying th po
ti which th church laims. H ce science also
may in th same way demand t be independent f
the stat which is then pposed t be m re means
with the ta k f pr viding f science as th gh
sci ce w re an end in tself

Furth f d t rmining th relati betwee
ch rch and stat t makes diff re whether th
leaders f co gregati ns and ivid als rdai ed t
th service f th church feel impelled to w thdraw
from th tat and lead sort f secl ded lif f
thei wn so that nly th the church members
are bject t th stat control, wh ther they re
main within th stat except in th capacity as ec
clesia tics, capacity which they take t be b t ne
sid f their lif Th mo t striking thing bo t such

a conception of the church's relation to the state is that it implies the idea that the state's specific function consists in protecting and securing everyone's

simply as an organization to satisfy men's necessities In this way the element of absolute truth of mind in its higher development is placed as subjective religious feeling or theoretical science beyond the reach of the state The state as the laity pure and simple is confined to paying its respects to this element and so is entirely deprived of any

their seat only in the church while the state was a mere mundane rule of force caprice and passion At such times it was the abstract opposition of state

situation is the one which truly corresponds with the Idea The development of this Idea has proved this rather to be the truth that mind as free and rational is implicitly ethical while the Idea in its truth is rationality actualized and this it is which exists as the state Further this Idea has made it no less clearly evident that the ethical truth in it is present to conscious thought as a content worked up

ness and in accordance with principles Now as I said earlier religion has the truth as its universal subject matter but it possesses it only as a *given* content which has not been apprehended in its fundamental characteristics as a result of thinking and the use of concepts Similarly the relation of the individual to this subject matter is an obligation grounded on authority while the witness of his own spirit and heart i e that wherein the moment of freedom resides is faith and feeling It is philosophic insight which sees that while church and state differ in form they do not stand opposed in content for truth and rationality are the content of both Thus when the church begins to teach doctrines (though there are and have been some churches with a ritual only and others in which ritual is the chief thing while doctrine and a more educated consciousness are only secondary) and when these doctrines touch on objective principles on thoughts of the ethical and the rational then their expression *eo ipso* brings the church into the domain of the state In contrast with the church's faith and authority in matters affecting ethical principles rightness laws institutions, in contrast with the church's subjective

conviction the state is that which knows Its principle is such that its content is in essence no longer clothed with the form of feeling and faith but is determinate thought

If the content of absolute truth appears in the form of religion as a particular content i e as the doctrines peculiar to the church as a religious community then these doctrines remain out of the reach of the state (in Protestantism they are out of the reach of priests too because as there is no laity there so there is no priesthood to be an exclusive depository of church doctrine) Since ethical principles and the organization of the state in general are drawn into the domain of religion and not only may but also should be established by reference thereto this reference gives religious credentials to the state itself On the other hand however the state retains the right and the form of self conscious, objective rationality the right to make this form count and to maintain it against pretensions springing from truth in a subjective dress no matter how such truth may girdle itself with certitude and authority

The state is universal in form a form whose essential principle is thought This explains why it was in the state that freedom of thought and science had their origin It was a church on the other hand, which burnt Giordano Bruno forced Galileo to recant on his knees his exposition of the Copernican view of the solar system and so forth Science too

p f se e e mpri m t O e f th strongest of

sec d t m u d thre t f th pe lty fi ed f a re l p t h esy H w m d t g abj t I th f ll wi g t rms I C l leo pre I g i perso bef re th co t i my se t th yea kneel g d w th my yes th h ly Go pel wh h I hold my h d abj re dam d ec t w th m h I b rt I t bel f the b d f lse d h t al doct f th m i f th h Wh t pec t cl I A aged bl m f m h gh t I g

eref re has ts place th sd f th tat si e ct lity f mind it is essential that ts f rm b ld be distinct f m th t f th rity d faith B t rt em ges ly f the ch ch

271 The con tituti n of the state is the f t place the rganizati of th tate a d the elf related p cess of ts organic l fe a proces wh reby it differe tiates its moments with t

it turns it diffe ent ating act ity ou a d a d acco dingly est blishes withi ts lf th de l ty of its ub ting inwa d diffe e tiations. [A]

1 The Const t t o (o ts internal side o y)

27 Th con t tution is rati al in o far as the state nw rdly diffe entiates and determi es ts a ti ts in acc dance with the n ture of the co pt The esult of th is th t each f th e pow s is in t elf the totality f the co t t ti n be u e ea h contai s the other m me t

h ld good as bjecti truth

M t may l be mad f th ty f tate and ch h — f uri t p f mod rn discus- and h ld p by som as th h ghest f d l Whil ta and ch rch esse tiall truth f p cipl d dispositi t is less esse tial th desp t this unity th di tin ti betwee their f rms f ns us ess sh uld b ext rnalized as di tincti betwee th ir pecial m des f t ce This f en d sured unity f ch ch and tat is f d d n tal despot ms b t an n tal despotism t tat t any rat t th self-consci us f rm f tat hich is l w rthy f mind th f rm which is rganicall d loped d her th re re hts d free thical lif F rth if th at m int xist as th self k owi g thical

wh le

In ur day ther has om bef th p bl an dless m t f b bbl bo t th nstit t bo t reaso tself and th talest b bbl f ll h bee prod ced in Germ th nks t th wh ha persu d d thems es th t they h th best th sol und rst d g f wh t tut ti is Else h particul ly in g rom ts m und rstandin is suppo ed t reign A d these g tlem re n d th t they h an assaila l j tificati f wh t th y say because th laim that li and p ty ar th basis f ll this shal l w thinking f th irs It is w der th t this b b bl has mad reasonabl men j t sick f th ds reaso l ht m t "right &c. as f th w rds t t t d freed m d m mi ht ll be h m d w t g discussin th

Cf H g l *Philo ph f H ry* pp S ff.—Ed.
See P ra graphs 75 300 d 69—E

constitution of the state at all! However we may at least hope that this surfeit will be eff ctive in producing the ge eral conviction that philosophical *knowledge* of such topics cannot arise from argu

and the knowled e of truth a wild goose chase will

mere edificat n an l whatever the orth of these ne ther can pretend to notice from philosophy

Amongst current ideas mention may be made (in connexion with Para raph 269) of the nece s ty for a d vis on of powers within the state This point is of the h ghest importance and if taken in its true sense may rightly be regarded as the guarantee of public freedom It an id a however w th which the very people who pretend to talk out of their in piration and love neither have nor desi e to have any acquaintance since it i preci ely there that the

ed But when the abstr ct Understandi handles it it reads into it the false doctrine of the absolute self sub tence of each of tl e po ers against the others and then e sidedly interp ets the r relation to each other as negat ve as a mutual re t iction This view impl es that the attitude adopted by each po er to the others is hostile and app che s ve as if the otl ers w re evils a d that the r funct on is to oppo e o e anoth and a result of this counte p e to eff ct an equ l b ium o the whole b t nev er l in unity It is o ly th inner s lf det rmina tion of the con pt not any other co deration whether of purpos o ad antage that is the absolute source f the d vi i n of pow rs and in virtue f this alone is the organ z tion of the t te some thi g inherently rational and the ima of eternal re so

Ho the concept nd then more concretely how the Idea d te mine th m l es in ardly a d so p sit their mome ts—u ersal ty part cul rity and individuality— abst a tion f m o e another is d sc verable f om my l g though not of c urse from tl e logic curr t els where To t k the mere ly negati e a a sta ting poi t nd to exalt to the f rst place the volt o of evil and the mist st of this volit on and th n on the basis of this p esup posit o Jyly to construct d kes wh se efficiency s mply necessitates c r p d dikes o e gainst them is characteris t c in th u ht of th neg ti e Understanding and in entiment of the o tlook of the rabble (ee Para raph 244)

If the powers (e g what a c ll d the Executi e and the Legislatu e) become s lf s bsi te t then as we have recently een on a grand scale the de struction of the state is f rthw th a *fait c mpl*

Cf M tesquie *Th Sp t J Laws* l 6—E

defective and so secures the bare essential the maintenance of the state [A]

273 The state as a political entity is thus cleft into three substantive divisions

(*a*) the power to determine and e tablish the universal—the Legislature

(*b*) the power to subsume single ca es and the spheres of particularity under the universal—the Executive

(*c*) the power of subjectivity as the will with the power of ultimate decision—the Crown In the crown the different powers are bound into an individual unity which is thus at once the apex and basis of the whole i e of con titutional monarchy

The develo ment of the state to const tut onal mon rchy is the achievement of the modern world a w o ld in wh ch the substantial Idea has won the infin te form [f subjectivity—see Paragraph 144] The history of this inner deepenin of the wo ld mind—or in other w o ds this free maturation in course of which the Idea realizing rat onality in the external releases its m m ts (and they are only its moments) from its lf s tot l t es nd just for th t reason st ll retains them i the deal unity of the concept—the history of this genuine formation of ethi cal l fe i the content of the whole course of world history

The a c ent division of constitut ons into mon a chy arist c acy and democracy is based upon the n t n of ubst ti l till u di ded unit a n ty wh ch h s not yet come t its ner d fferent at o (to a m tu ed internal organ zati n) a d which the efore has not yet attai ed depth or con cr te rational ty F om the standpoint of the a cient wo ld therefore this di isio is the true a d cor ect one s nce f r a unity of that st ll s b t tial t pe a u ty inwardly too imm ture to h at t ed its ab ol t ly compl t d el pm nt diff ence is ess ti lly n exte nal diffe ence a l appe r at first as a d fference in the n mber of th se i l m that sub t nti l unity s ppo ed to be im manent Th e e fo ms w hich on this principle be l g t diff ent h les are g en in l m t l mo archy the humbler position of moments in a l l The mon rch s *gle* perso th *fe* come o the c th th e ec t nd th m y n m w th the legisl ti e B t as h be i dicated pu ely q t tat e dut ctio like thes re rly superf cial and do n t ff rd th c c pt of th th g Equally i deq te is th m ss of o tempo rary talk about the d mocratic and aristocratic l m t in monarchy b cause whe the elements pec i ed in such talk a e found i a m rchy th re is

See E [t ed] § s [3 d ed § 99]
Cf A tl *P l t* 79 6 ff—E
I g P rag h 14—Ed

no longer anything democratic aristocrati bo t t..em. There are ti f con..tit ti ns in which th stat is portrayed from top to b tt m as an b-stracti which is supposed t ru d command and h w many individuals are t th head f such state, wh ther few all, is q estio l ft undecided and regarded as matt f indifference [E.g] All these f rms, says Fichte, re ju..ti fied, provided there be an eph rat (schem d vised by Ficht t be counterpoise t th chief powe th stat) and may be th means f

tricted in meaning b being defined as an alterna tr parity with aristocracy and democracy) B t th Idea is indiff rent t them t in F'cht

f rm f rati nal law other than th f rm f senti ment is required, because virtue in th h ds of the state is t gh f th stat as wh l is t ga th pow t es..t disrupti d to best w o the powers of particularity ow becom m t re both their positive and their egative rights. Similarly we must rem ve th misu d rstanding f supposin.. that because th sentim t f rtue i th bsta tial f rm f democratic rep blic, t is ev d tly su pe fl us in mo archy o eve bsent from t It gether and, finally we may ot suppose that th is an pposit and m mpatibility between r t and th legally d terminat ge cy f state whose rganizatio is f lly articulated.

Th f ct that "mod ratio is cited as th prin-cipl f ristocracy impl es th beginning at this point f di rce between p bli a th rity and pri vat int rest. And yet t th sam tim these t h each ther so directly that this con..tit ti by its very nat ta ds the verge f laps g f rthwith int t ran y narch —th harshest of political co ditions—and so int self-annih..ation. See Ro-ma history f example.

Th f ct that M tesquieu discerns h r" as th princip f monarch t ce mak t lear that by "m narch h und rstands, t th patri

till, h re again as in so many h places, w m..st rec gnize the depth f M tesquieu insight in his ow fam us treatment f th basi principles f these f rms f go rnm t. T rec gnize th curacy f his cco t, h w ver w must t mis-derst d it As is well kn wn h h ld th t "vir was th principl f democracy [and rightly] si t in f ct th case that that type f constit rests sentime t e. th purely b tantial f rm in which th rati ality f th bsol t will still exist in democracy B t M tesqui goes t say that in th se en ee th ce tury Eng..and pro-vided fin pectacl f th way in which ff rts f und democracy w re re dered in ffect ve by lack f irt in th leaders And main h dds "when virt anishes f m th republi amb ti ers hearts which are capabl f t and greed mas-ters every so that th tat becomes every boo y and ts trength w consists nly in th po f f w citizens and th licen f all lik These qu tati ns call f th mment that in m re ma re social co di ions d hen th powers f p rticula y ha d loped and becom free

tat t rth

An th q esti readily presents tse..f h "Who is to fram th const t ti ? This quest seems clear b t close inspecti sh ws t that t is meaningless, f t presupposes that there is co st t ti th re b t nly ggl m ratio f t mi indi id als H w an egl m ratio of di d..a. co ld cquire nstit wh t..er t matically by someo aid wh ther as prese t b f rce by th u..ht t w uld ha e t be ll ed t settl f tself sin with an g lom rati th co cept has thing t d B t if th q est presup-poses an lready existent const t t then t is t bo t framin b t nly bo t alt ng th tit ti n, and th ery pres pposit f n..tit t directly implies that ts alt ratio may com bo t nl by constit ti nal means I case h w e t is bsol t ly essential th t th constit h ld t be regarded as som thin m d even th ugh it has com int being in tim It must be tre ted rath as som thing impl existent in and b tself

Scienc f R ght [§ 6 sub-sectio 6 p 3]

Deut ff

Cf M esquieu *The Sp f Law* iii, 3 See Re-mark P ra raph 85 —E

Cf. M tesque *Th Spiri f Law* iii, 5 —Ed

Ibid —E

Ibid 7 —Ed

See Paragraph 7 —Ed

as divine therefore and constant and so as exalted above the phere of things that are made [A]

4 Mind is actual only as that which it knows it elf to be and the state as the mind of a nation is both the law permeating all relationships within the state and also at the same time the manners and consciousness of its citizens It follows therefore that the constitution of any given nation depends in general on the character and development of its self consciousness In its self consciousness its subjective freedom is rooted and so therefore is the actuality of its constitution

The proposal to give a constitution—even one more or l s rational in content—to a nat on *a priori* would be a happy thought overlooki g precisely that factor in a constitution which makes it more than n *ens ration s* Hence every nation has the const tution appropriate to it and suitable for it [A]

(a) The Crown

2/5 The power of the crown contains in itself the three moments of the whole (see Paragraph) viz (a) the *universality* of the constitution and the laws (β) counsel which refers the *particular* to the universal and (γ) the moment of ultimate decision as the *self-determination* to which everything else reverts and from which everything else derives the beginning of its actuality This absolute self determination constitutes the distinctive principle of the power of the crown as such and with this principle our expo ition is to begin [A]

76 (1) The fundamental characteristic of the state as a political entity is the substantial unity i e the ideality of its moments (a) In this unity the particular powers and their activities are dis olved and yet retained They are retained however only in the sense that their authority i no independent one but only one of the order and breadth determined by the Idea of the whole from its might they originate and they are its flexible limbs while it is their single self [A]

77 (β) The particular activities and agencies *of the state are its essential moments and therefore are proper to it* The ind vidual functionaries and agents are attached to their office not on the strength of their immediate personality but only on the strength of their universal and objective qualities Hence it is in an external and contingent way *that these offices are linked* with particular persons and therefore the func*tions and powers of the state cannot be priva e property* [A]

2 8 These two points (a) and (β) constitute the sovereignty of the state That is to say ov ereignty depends on the fact that the particular *functions and powers of the state are not elf* subsistent or firmly grounded either on their own account or in the particular will of the individual functionaries but have their roots ultimately in the unity of the state as their single elf

This is the sovereignty of the state at home So ereignty has another side i e sovereignty vis-à-vis foreign states on which see below

In feudal times the state was certainly so er i n v s à v s other states at home however not only was the monarch not sovereign at all but the ta e itself was not overeign either For one thing the *particular functions and powers of the tate a d* civil society were arranged (compare Remark to Paragraph 273) into independent Corporatio s and societies so that the state as a whole was rather an was left to the r own op nion and caprice

The idealism which constitutes sovereignty is the same cl a acter stic as th t in accordance ith which the so c lled parts of an an mal organi m are n t pa ts but membe s moments in an organic whole whose isolation and indepe dence spell d sease The *p inciple here is the sam as that which came befo e* us (see Paragraph 7) in the ab tract concept of the will (ee Remark to Paragraph 279) as self related neg tivity and therefore as the un versal ty of the will dete m ing itself to ind idualıty and s ca cell g all particul rity and d termi acy as the absolute self det rmining ground of all volition T unde st nd this on must ha e mastered the wh le conc ption of the substance and ge uine subject ty of the concept

The f ct that the sovereignty of the tate i the ide l ty of ll particul r auth rities ithin it g ves rise t the easy and al very mmon m su der stand g th t this id ality is only m ght and p re a b trariness wh le so ere g ty i a synonym for de p ti m But de potism means any state of af f rs whe l has disapp red a d wh e the partıcul r will as such whether f a mon rch or a mob (ochlocracy) co nts as law o ather takes the pl ce

spheres nd fu cti That is to say e e ty bring it bout that each f th s ph res n t s m thing i d pend nt elf b t t t it m and m d f tk g m th ng imm rsed l ly in t elf b t th t i t l en these im and mod f rk g ea h is det rm ed by d d

P g ph 3 ff—F
See E [t ed] § 293 [3 d d § 37]

Cf M tesq Th Sp t f Law i 3—E

pendent on t.. aim f t.. wh (th aim which has been denominated in general terms by th rath vague express "welfare f th ..at)

This ideality manifests itself in tw ld wa

() In times f peace t..e particular spheres a..d functions p... t.. p..h f sat..fy... th..r pa... ticular aims and minding t.. ir wn business and it in part ..ly b wa f t.. unconsci us ecessity the t.... t..t t..e. se f seekin is t rned int co tribution t reciprocal support and t t.. support t.. wh le (see Paragraph 83) I part h wever it is by th direct in nce f hi.. t.. ntv that t..ev re t nly co tinually bro ght back t t.. aims f t.. wh l and restricted accord ing (see Paragraph 9) but are so constrained to perf rm direct services f the support f th w e.

( ) In situatio f emerge cy however w ether in hom or f reign a..airs th rganism f which t..ese particular sp res are members fuses int t..

Th .... is en

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will s bstract and t t..at exten ungrounded self-determina m wh.. h finali f decisi n is roo ed. This is t.. strict.. indi dual aspect f t.. sta and in irtue f this al e is the ..at or Th truth f subjectiv y howeve is t...ed only in subject and the tr..h f per

forma on. H ce t..s abs lutely decisive moment f t.. w e is n t indi iduality in gen eral, but si..e ind dual, t monarch.

Th immanent developme t f science, t.. der ivatio f i.s entire co ent from t.. concept in its sim city (science t.. rwise derived, wha ever its merits does t deserve t.. nam f philoso hi cal science) exhib ts this peculiarity t..at ne and the same concept—the will in this instance—wh..ch begins by bei..g bstract (because t is t th begin ning) maintains its identity even while it consoli dates its spec.. determinations, and that too so ely by its wn activ ty and in t..is way gains concret co en.. Hence is t.. basic m ment f personality bstract t.. start in immediat righ..s, which h..s mat red i.self through its various f rms f sub jectivity and now—at th tage f absolute rights, f t..e state f th completely oncret bjectivity f t.. will—has becom t.. personality f t..e stat its certainty f self. This last reabsorbs all particu-

Hegel em..atically repudia..es ..... rism in the Pref ace to the Phän ... gie f R ht.—Ed.

larity in its si..gle self cu..s h rt t.. weighing f pros and cons between which t lets se f oscillate perpetuall w this wa nd w that and by sa ing 'I will' makes t deci.. and so .. nates ... ll ctivit d actuality

... ... h wever perso..ality lik b ect vit

f th ..at t.. ctual. Personal s .. cept as such b t th perso em..braces th ctual f t.. concept, a..d ..l when th co ..cept is deter mined as perso is th I ea t ..h A so-called artificial person, be t societ comm nit family h wever inherently concret t ma be con..ai.. persona.. b tractl as m ment f itself I an rtificial perso personali has chieved t.. tru mod f existence Th ..at h wever is precisel this t tali in which t.. mo me s f t.. concept ha tta..ed the ctuali co respond t t t..eir degree f truth. All t..ese ca gories both in themsel es and in thei.. external f rmati ns, have bee discussed in t.. wh l co rse of t..is treatise Th are repea ed h re h wever be cause wh t..eir exis ce in t..eir particular ternal f rmati ns i.. rea..ly granted, t does no f l low t all t.. they re recognized and appreher ed again when t..ev pear in th ir true place t iso la ed, b t in their truth as m ments f th I ea.

Th concep ion f th m narch is t rel re f ll co cep ns t.. hardest f ratiocinatio e f the method f re ectio em l yed b th U dersta d ing This m t..od refuses t m e beyond isolated ca egories and hence here again knows ... rea..ons f... po..ts f view and ded ctive argu mentation. C nsequently t exhib s th dignity f th m narch as som thing ded ced, t nl in its f rm, b t in its essence Th truth is however t..at t be somethi.., not ded ced but purely self-origi nating is precisely th conceptio f monarch Akin t..en, t t..is reason..g is t.. dea f treatin the m narch right as grounded in t.. th nty f God, since t is in its divinity that its ncondition nal character is co tained. W re familiar however with th misunderstandings connected with this idea and t is precisely this di n ment which t is t.. task f philosophic treatment t comprehend.

W ma speak f t.. sovereignty f th peo ple in t.. sense t..at any peo l wha eve is self subsistent vis-à-vis t..er peo es, and const t tes stat f its own, lik t.. Briti..h peop f instance B t t..e peo les f England, Sco land, Ireland th peoples f V nice Genoa, Ceylo.., &c. re not sovereign peo es t all w t..at they ha ceased t have rulers suprem go ernm ..s t..eir wn.

W ma ..so speak f sovereignty in h me a..airs residin.. in th people, provided that w re speak ing generall bo t th wh l ..at and meani ..ly what was ..... wn bove (see Paragra hs

as divine therefore and constant and so as exalted above the phere of things that are made [A]

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(a) The Crown

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This is the sovereignty of the state at home. Sovereignty has another ide i.e sovereignty vis-à-vis foreign states on which see below

In f udal times the state was certainly so erei vis à vis other states at home however not o ly was the monarch not overei n at all but the s itself was not overe gn either For one thing the particular funct ons and powers of the tate a d ci il society were arranged (compare Rema k to Paragraph 273) into independent Corporations a d societies so that the state as a whole was rather an a gregate than an org nism and for another t office was the pri ate property of indi iduals, a d hence what they were to do in their public capacity was left to their own opinion and caprice

The idealism wh ch con titutes sovere nty is t e same characteristic as that in accord ce with which the so called parts of an an mal orga m are not parts but members moments in an organic who whose isolation and independence spell di ease The p inciple here is the same as that which came before

olute self-d te minin grou d of all vol tion T und stand this o e must h ve m te ed the hole conception of the substance and genu e subject vity of the co cept

The fact that the so ereignty of the tate is t ide lity of all particul r authorit es with n it g e r se to the easy and al o very comm n m s d sta d ng th t th s id l ty is only m ght and p re arbitra iness wh le sovereignty is a syno ym f despoti m But d p tism means any tate f af f rs where law h s disappea ed and where the par t cul r will as such wh ther of a mon rch or a mob (o hlocracy) counts as la o rath r takes the place of law while it is preci ely in legal co t tut l governm nt that sov re g ty is to be fou d as the moment of deality—the ideality of the particular ph res and fun t ons That is t say sover ign bri gs it bout that ea h of these ph res is not someth g nd pend nt s lf s b ist nt i its a and m de of orkl g somethi g immersed solely n t lf b t that stead e en n these a ms a d mod f k g each is det rm ed b a d de

Cf M tesq *Th Sp t f Law* i 3—E

P g ph 3 ff—E
See *E* [ted] § 93 [3 d d § 37]

pendent t. aim f the w o. (the aim which has been de mined ed in general terms by t rather vague expression "welfare f th state")

This ideality manifests itself in two fold way

( ) In times f peace th particular spheres and functions pursue the path f satisfy their particular aims and minding their own business and it is in part only b way f th unconscious necessity f the thing that their selfseeking is turned in a contribution t reciprocal support and t th support t whole (see Paragraph 8) In part, however it is b the direct influence f higher authority that they are t only continually brought back t th aims f th whole and restricted accordingly (see Paragraph 9) but are also constrained t perform direct services f the support f th w

( ) I situation f exigency however whether in home f foreign affairs t organism f which these particular spheres are members fuses in t single concept f sovereignty The sovereign is entrusted with th salvation f th state t th sacrifice f these particular authorities whose powers are valid t other times, and it is then that that ideality comes into its proper actuality (see Paragraph 3)

2 9 ( ) Sovereignty t first simply th universal thought f this ideality comes into existence only as subjectivity sure of itself as th will's abstract and to that extent ungrounded self-determination in which finality f decision is rooted. This is the strictly individual aspect f the state and in virtue f this alone is th state one The truth f subjectivity however is attained only in subject, and th truth f personality only in person and in a constitution which has become mature as realization of rationality each f th three moments of th concept has its explicitly actual and separate formation. Hence this absolutely decisive moment f the whole is individuality in general, but single individual, th monarch.

The immanent development f science th derivation f its entire content from th concept in its simplicity (science th raised derived, what ever its merit does not deserve th name f philosophical science) exhibits th peculiarity that and the same concept—the will in this instance—which begins by being abstract (because t is t th beginning) maintains its identity even while it consolidates its specific determinations, and that too solely by its own activity and in this way gains concrete content. Hence it is the basic moment f personality abstract t th start in immediate rights, which has matured itself through its various forms f subjectivity and now—at th stage f absolute rights, of the state f th complete concrete objectivity f th will—has become th personality f the state its certainty f itself This last reabsorbs all particu-

concern most th hardest f rationalization f t method f reflection employed b th Understanding. This method refuses t move beyond isolated categories and hence here again knows only raisonnement, points f view and deductive argumentation. Consequently t exhibits th dignity f the monarch as something deduced, t only in its f m, b t in its essence The truth is however that t be something deduced but purely self-originating is precisely th conception f monarch Akin then, t this reasoning is th idea f treating the monarch right as grounded in the authority f God since is in its dignity that its unconditional character is contained. We are familiar however with th misunderstandings connected with this idea and t is precisely this divine element which t is th task f philosophical treatment t comprehend.

We may speak f th "sovereignty f th people" in th sense that any people whatever is self subsistent vis-à-vis t peoples and constitutes a state f its own, like th British people f instance B t th peoples f England, Scotland, Ireland, th peoples f Venice Genoa, Ceylon, &c., are t sovereign peoples t all now that they have ceased t have rulers supreme governments f their own.

We may also speak f sovereignty in home affairs residing in th people provided that we are speaking generally bo t th whole state and meaning what was shown above (see Paragraphs

Hegel emulation parodiates criticism in the Preface to the Ph . ph . f R ht.—Ed.

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(a) The Crown

2/5 The power of the crown contains in itself the three moments of the whole (see Paragraph) viz (a) the *universality* of the constitution and the laws (β) counsel which refers the *particular* to the universal and (γ) the moment of ultimate decision as the *self determination* to which everything else reverts and from which everything else derives the beginning of its actuality This absolute self determination constitutes the distinctive principle of the power of the crown as such and with this principle our expo ition is to begin [A]

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The ideal m which constitutes so ere nty is the same cl a acte istic as that in accordance ith which the so called parts of an animal organ sm are not parts but memb rs moments in an organic wh le whose isolation and independence spell d ease The principl here is the same as that h ch came b f re us (see Paragraph 7) in the abstract concept of the ll (e Rema k to Paragraph 279) as self related negativity and ther f re as the uni ersal ty of the will d t minin itself to ind iduality and so can cell g ll particularity and determi acy as the absolute self determ n ng g ound of all volition To und st nd this ne mu t have mastered the h k conception f the substance and genui e subjectivit of the oncept

The f ct that the sovereignty of the tate is the ide lity of all part cular auth rities ithin it g es r se to the e y a d l o ve y omm n misunder stand g th t this id al ty is only might and p e arbitrarin s hile s ve e gnty is a sy o ym f de potism But de p ti m m ns any st te of af fairs where l w ha d ppear d

[illegible] at ere gnty is to be fo nd as the mom nt of ideal ty—th ideality f the particular sph res and f n t ns Th t is t say e ts bri it ab ut that each of these ph es is n t s m thi g i d p nd nt lf sub i t nt i t m and m d of wo ki g m th g imm r d l ly in it lf but th t in t a l e n these im and mo l (rkl g e h is d t rm ed by d de

P g phs 3 ff —F
See *E* [1 t ed] § 93 [3 d d § 371]

— ð mi d)

has been renounced, since truth is sub- … f co cept and exist nce (see Paragraph 3) Since th U dersta ding has inne consci us ess f t.. s unity and refuses t m re bevo d th separa tio f these tw m m ts f th truth t may pe haps, so far as God is co cerned till permit faith m this unity B t ince th dea f th m narch is regarded as bein, qu t familia t rdinary co sciousness, th U d rstanding lings h re all th m re tena. usly t ts separati m and th co clusi ns hich its as t ratiocin ti n ded ces therefrom. As result, t d nies that th m ment f ultimat de ciso in th tat is linked implicitl d ctually (i.e in th rational co cept) with th immediat birth, t f th m narch C nseque tly t inf rs, first that this link is m tt f ccident and fur ther—since it has claimed that th bsol t diversity of these mom ts is th rational thing—th t su h link is irra nal and then there f llow th th de ductio n disruptive f th Idea f th tat [A.]

8 *B th m ments in their undi ded unity*—(*a*) the will s ultimate ungr unded s lf and (*b*) theref e ts imila ly ungr unded bjecti e ex. ence (xist r being the category which is t h m in nature)—co titut the Idea of somethi g gainst whi h capric is powerless th majesty f th m na ch In thi unity lies t.. ctual unity of th t te d t is only thr ugh thi ts inwa d and o tw d imm diacy that t..e unity of the t t is sa ed from the risk f being drawn down into th spher f particu larity and t caprices ds and opini ns and sa ed too from th wa f f cti ns round the t..r d f om the enfeeblement and ove throw f th pow f the stat

Th rights f birth and inh tance constit t th basis f legitimacy th basis f ri,ht t purely positive b co tained in th Idea.

If successi th thro is rigidly determined, i.e. if is h reditary then f cti is bviated t demise th crown this is a.pect f hereditary successi nd t has l n, bee rightl t essed as

po t in its f ou This aspect h we er is nly conseq ential and to mak t th reaso f r heredi tary successio is t drag d wn th majesty of th thro I t th ph re f argumentat t ign re its tru charact as ungr ded immediacy and ul wa d ess. d t base it t o th Idea

ct ma of co rse be der. *term* B t ther *m du termini* re equally ail bl and so theref re re diff rent co clusi ns, and t is l too well kn wn what co lusi ns h ve in f ct been drawn from this "w lf re f th peopl (*sal t d p pl*) Hence th m jesty of the m archis t p f th ghtful treatment b philoso phy alo si ce every m thod f inquiry ther than th peculati e m thod f th infinit Idea which is purely self grounded, nnuls th nat re f majest altogether

An elective m narchy seems f co rse t be th idea which uperficial

It is truer t say that elective m narchy is th w rst f instit ti ns, and its results suffice t re eal this to ratiocinati T ratiocin ti h wever these results ha e th ppearance f som thin, m rely possibl d probabl th ugh they are in f ct in h re t in th very essence f this instit tion. In an

is that th particular ffi es f tat t rn int pri vat property th so re gnty f th tat is feebled d lost d finall th tat disintegrates within and is verthrown from with t. [A.]

8 The ri,ht t pardon criminals arises f om the so e eignty f the m na ch, in e t is this alo e whi h is empowered to ctualize mind s

Cf Ka C qu *J Par R* ts p. —Ed
See the reference ala d *praft* in the Remark to the be P ra ra h.—Ed
See P ragra h 83.—Ed.

See Rema k t P ragraph 3 —Ed
In the sect on on C il Socie y see .g., P ragraphs 83 nd —I
Cf Hegel *Phil* *ph* *J H* ry p 353.—Ed

278) namely that it is to the state that sovereignty belongs

The usual sense however in which men have recently begun to speak of the sovereignty of the people is that it is something opposed to the sovereignty existent in the monarch So opposed to the sovereignty of the monarch the sovereignty of the people is one of the confused notions based on the wild idea of the people Taken without its monarch and the articulation of the whole which is the indispensable and direct concomitant of monarchy the people is a formless mass and no longer a state It lacks every one of these determinate characteristics—sovereignty government judges magistrates class divisions &c — which are to be found only in a whole which is inwardly organized By the very emergence into a people's life of moments of this kind which have a bearing on an organization on

republican form of government or to speak more specifically (since under republic are compr ed all sorts of other mixed forms of government which are purely empirical let alone irrelevant in a philosophical treatise) a democratic form then all that is needed in reply has been said already (in the Remark to Paragraph 273) and besides such a notion cannot be further discussed in face of the Idea of the state in its full development

If the people rep esented neither as a patriarchal clan nor as li n g under the simple conditions which make democracy or aristocracy possible as forms of governm nt (see Remark to Paragraph 273) n r as l in und r some other unor an edandhap h zard conditions but stead as an i wardly de l p d genuinely organic totality then sovereignty s the e as the personality of the whole and this personality is ther in the real existence adequate to its concept as the p son of the monarch

At the stage at which constitutions are divided as above mentioned into democracy arist c acy a d mo rchy the p t of view taken is that of a still substantial unity b d g i ts lf th ut having y t emb k d it i finite d ffe e tiation a d the plumb ng of its own depths At that stage the mo m t of the final elf determin ng decis on of the will does not come n the sc ne expl citly n its o n p oper actuality s n organ c moment imman nt i the state None the less e en in th s comp r t ely immature constituti nal forms there m st lw ys be i dividuals at the h ad Leaders must either b vailabl already as they are in mo archies of that

powers which remains undifferentiated this subjectivity of deci ion is inevitably either contingent in its o n and appearance or else is in one way or another subordinate to something else Hence in such states the power of the leaders was conditioned and only in something beyond them could there be

uon ith which the state is concerned H rm Les

&c It was when men had not yet plumbed the depths of self co sciousness or risen out of their undifferent ated unity of substance to th r independence that they lacked strength to look within their o n bein f r the final word

In the divine sign of Socr tes (compare Remark to Paragraph 138) e see the will which formerly had s mply transferred itself beyond itself now be in g to apply itself to itself and so to recognize its own inward nature This is the beginning of a self knowin and so of a genuine freedom This real zed freedom of the Idea con ists precisely in gi to each of the moments of rationality its o n s lf co cious actuality here and no Hence it is this freed m which makes the ultimate elf determin g cert tude—the culm nation of the concept of the will —the function of a le co sc ous ess This ulti m te elf determination however can fall within the sphere of human freedom only in so f r as it has tl e po t on of a p nn cle e plicity d t nct from and raised above all that is pa t cular and condi t o al for only so is it ctual in a way adequ te to its c nc pt [A]

280 (3) This ultimate self in which the will of the state is concentrated is when thu taken in abstraction a single self and therefore is *immediate* individuality Hence its natural character is implied in its very conception The monarch therefore is essentially characterized as *this* individual in abstraction from all his other characteristics and *this* individual is raised to the dignity of monarchy in an immediate natural fashion i e through his birth in the course of nature

This t nsit n of th c ncept f pure self deter m at to the immed cy of be ng and so int tl e re lm f nature is of p rely pecul t e char acte a d pprehen ion of it th r fore belongs to l c M reover this transit o is n the wh le the s m as that familiar t us in the nat re of willing an l th re the pr c ls t tr nsl te something from

1 the Rema k t P ragraph 273 —Ed

ty because publi freed m means rat al st.tution, h th h reditary hara t f th pow er f L crown is as has been sh wn th m ment hing in th cept f that pow

th sam tim th orporatio mind, engend red wh th particular sph res gain their title to ri hts is w inwardly co erted into th mind f th tat h means of maintaining

(β) The Execu e

5 There is a distincti n between the mon rch s deci ons nd their execut n and applica tion, in general betwee his d ci ions and the continued execution r maintenance of past de cision ex ting laws egulations organizati ns fo th ecuring f commo ends and so f rth. n rt cula

8 Particula interests whi h are common to everyone f ll within ci il oci ty a d lie outsid t e bsol tely uni ersal int rest of the tat proper (ee P ragraph 56) The dministra tion f these s in the hands of Corporations (see P ragraph comm r al and p fes- sional as w ll as municipal, and th r fficials direct rs manag rs and the lik It is th bus ess f these ffi ials t manage the pri ate property and interests of these particular spheres and, f om that point of view th ir uth rity rests o the nfide of th commo lties a d pr fes nal equals On the other hand, h wever th e cles of particular inte ests must be subo dinated t th hi her interests of the tat and hen th filling of pos ti ns f respo ibility in C rporat ns & will gen ral ly be ffected by mixture f popula lecti by those int es ed with ppointment and rati ficat by higher uth rity

which fficials lack indepe dence d so th this sphere f pri at in rests, h wev ma be regarded h m ment f f rmal freed m

89 The maintenan f the state s uni ersal int est and f le ality in this sphere f part t a right and th w k f bringing these ri hts ba k t the uni ersal equir t be superin tended by h lders f the executi e pow r by ( ) the execut il ervant and (b) the higher dvi ry officials (wh re rganized in t mmittees) These c erg in their su prem h ds wh are in direct ont ct with the monarch.

Just as ci il society is th battlefi ld where ev ry indi d al privat interest meets ev ry ne lse so h re w have th struggl ( ) f privat in erests ainst particular matters f common cern and (b) f both f these together gainst th rganizatio f th stat and ts higher tlook At

See P ragraph 8 —Ed.

90 D i on of labour (ee Paragraph 198) occurs in th bu ines of the e ecuti al o For this eas the rganization f offi ials has the b tract th u h difficult ta k of so arra gin that ( ) ci il life hall be go ern d in a c cre manner f m bel w wh e it is co cr but that (b) one the l the bu iness of govern ment hall be di ded int its ab tract branches manned by special fficials as differe t cent es f dmini tration and further th t (c) th operati ns of th se ari us departments shall c n rge again wh n they re directed ci il lif f om bove in the same way as they g into gen ral supervision in the uprem executi [A.]

9 The nature of the executiv functions is that they a e objective and that in their b- stance they ha been explicitly fixed by pre

See P ragra hs 8 ff —Ed

Cf Hegel Phil h f H ory p 56 See Remark to P ragraph 3 nd P ragraph 95 —E

power of making undone what has been done and wiping out a crime by forgiving and forgetting it

The right of pardon is one of the highest recognitions of the majesty of mind Moreover it is one of those cases where a category which belongs to a

cept of crime (which came before us earlie —see Paragraphs 95 102) of injuries against the state in general or against the sovereignty majesty and person of the prince In fact these acquire the character of *crime of the worst kind requiring a special procedure* &c [A]

283 The second moment in the power of the crown is the moment of particularity or the moment of a determinate content and its subsumption under the universal When this acquires a special objective existence it becomes the supreme council and the individuals who compose it They bring before the monarch for his *decision the content of current affairs of state* or the legal provisions required to meet existing needs together with their objective aspects i e

with the person of the monarch and therefore their choice and dismissal alike rest with his unrestricted caprice

284 It is only for the *objective* side of decision i e for knowledge of the problem and the attendant circumstances and for the legal and other reasons which determine its solution that men are answerable in other words it is these alone which are capable of objective proof It is for this reason that these may fall within the province of a council which is distinct from the personal will of the monarch as such Hence it is only councils or their individual members that are made answerable The personal majesty of the monarch on the other hand as the final *subjectivity* of decision is above all answerability for acts of government

285 The third moment in the power of the crown concerns the absolute universality which subsists subjectively in the conscience of the monarch and objectively in the whole of the constitution and the laws *Hence the power of* the crown presupposes the other moments in the state just as it is presupposed by each of them

See th nd of the Rema k t Pa g ph 137 —E

286 The *objective* guarantee of the power of the crown of the hereditary right of succession to the throne and so forth consists in the fact that just as monarchy has its own actuality in distinction from that of the other rationally determined moments in the state so these others *explicitly* possess the rights and duties appropriate to their own character In the rational organism of the *state* each member by maintaining itself in its own position *eo ipso* maintains the others in theirs

One of the results of more recent history is the development of a monarchical constitution with succession to the throne firmly fixed on hereditary principles in accordance with primogeniture With this development monarchy has been brought back to the patriarchal principle in which it had its historical origin but its determinate character is now higher because the monarch is the absolute apex of an organically developed state This historical result is of the utmost importance for public freedom and for rationality in the constitution but as was remarked above *it is often grossly misunderstood* despite the respect paid to it

The history of despotisms as of the now obsolete

consequentially the general devastatio and overthrow of the st te in both its home and foreign concerns Th s is all due to the fact that in monarchies of that type the di is on of the bus ess of the state is purely mech nical the various secti n b ing merely handed o er to pashas vassals &c The d ffe nc bet een the departments is simply one of greater r lesser power i stead of be ng one of form and pe

ent and autonomous and completely i corp rates *itself all the moments f the co ept* When th re is an o gan c rel t on s bsist ng b t een members not pa ts then ch member by fulfil ng the fu ctio s th others eves in others. ma te nance of th success on to the thr n or f r the power of the crown g ne lly or f justice public freedom &c a m des f se uri g the e thi gs by

ti e gu rant es th t a rele t A d such gu rantees are institut ons i e m t lly d ti t moments orga ically int co ect d ff ce publ c free d m in general nd a h ed t ry mo rchy gu ran t e each other th y sta d or f ll t geth r f neces

See R m k to P rag ph 79 a d 81 —E

t tm t f u ns

ed catio in tho ght a d eth cal c d ct Su n an d cat s a me tal ounterpo e to the

an mport t f to m p od c g this esult sm t dm she th tre f f mily d oth r perso l t s d lso makes l s pote t d o l keen ch p s ons s hatred enge &c In th wh re busy w th the importa t ques t n g gre t stat these s bje ts e inte ests t mat lly di ppe d th habt is gen t d f d pting universal inte e ts po t f w and t vit es.

97 C vil n ts d the memb rs of the ti e t t t the gr te part of the mid dl las the lass in hich the usness of right d th developed t llige c of the m of the peopl f und The so e c gn w k ng o the middl class t th top a d C rpo t n rights wo king t t th b tt m ar the in st t t wh h ffi tually p t t f m ac q g th l t d p ti f n tocr y and us g t d t d kill mea s to an a b t ry tyran y

At tim th dministrati f j t wh ch is rned th th privat int ests f ll m mb rs f th tat was in this w y turned int an in tru m t f p fit d tyr y when th kn l d f th law b ed i pedantry d f eignt gu d k ledg f legal p cesses was simil ly b ed m in l d f rmalit es [A.]

(γ) The Legislature

298 The l gislature is co cerned (a) with the laws as such n so fa as they requ re fresh and e te ded d term atio and (b) w th the con tent of h me affa rs affecting the entire state The leg slature i itself a part of the constitu t on wh ch s p esuppo ed by it and to th t ex tent lies absolut ly outside the sphere d rectly determ ned by it none the less the constitution become p ogressi ely mo e m tu e the course of th further elaboration of the laws and the ad ancing ch acter of the uni e sal business of government [A]

299 Legislat ve bu ness is mo e prec sely de d duals u

compri e the laws dealing with all sorts i pi vate rights the r ght of communit es Corpora tio s a d rg nizations ffecting the entire tate and fu ther t indirectly (see Paragraph 98) compri es the whole of the c nst tution As for

time s ch a way that any part cul tasks and services which n indi du l may perf rm come to be medi t d th ough his wn b tra y will

Th p pe bj ct f u rsal legi lati m y b d tinguish d g ral way f m th p pe f ti f dmi istrati ffi ls f m k d of t t gul t th t th t t f th f rm is

m thing d t rmin t b t th m d t rm t t is th m dily ts t rm cap bl f be carri d t th y t d. At th sam t m h w ev t gi t l s h f lly d tail d d t rm cy w ld gi them emp rical f t es bj t in t bly t lt ratu th co rse f th bein t lly ca d t d thi w ld tr th ir h t l w Th g ty f th po rs f th tat tself impli th t t is sin l m nd whi h b th firmly establishes th m l d l bring t int ts d t rmin t tuality d carr es t t

I th tat t m y h ppen t b gin w th th t th m pt t d possess p ts d

I bef w b k W t m n ns d ed i P g ph 3 4 ff—E

vious decisions (see Paragraph 287) these functions have to be fulfilled and carried out by individuals. Between an individual and his office there is no immediate natural link. Hence individuals are not appointed to office on account of their birth or native personal gifts. The *objective* factor in their appointment is knowledge and proof of ability. Such proof guarantees that the state will get what it requires; and since it is the sole condition of appointment, it also guarantees to every citizen the chance of joining the class of civil servants.

292. Since the objective qualification for the civil service is not genius (as it is for work as an artist, for example), there is of necessity an indefinite plurality of eligible candidates whose relative excellence is not determinable with absolute precision. The selection of one of the candidates, his nomination to office, and the grant to him of full authority to transact public business—all this, as the linking of two things, a man and his office, which in relation to each other must always be fortuitous, is the *subjective* aspect of election to office, and it must lie with the crown as the power in the state which is sovereign and has the last word.

293. The particular public functions which the monarch entrusts to officials constitute one part of the objective aspect of the sovereignty residing in the crown. Their specific discrimination is therefore given in the nature of the thing. And while the actions of the officials are the fulfilment of their duty, their office is also a right exempt from contingency.

294. Once an individual has been appointed to his official position by the sovereign's act (see Paragraph 292), the tenure of his post is conditional on his fulfilling its duties. Such fulfilment is the very essence of his appointment, and it is only consequential that he finds in his office his livelihood and the assured satisfaction of his particular interests (see Paragraph 264), and further that his external circumstances and his official work are freed from other kinds of subjective dependence and influence.

The state does not count on optional discretionary services (e.g. on justice administered by knights errant). It is just because such services are optional and discretionary that the state cannot rely on them, for casual servants may fail for private reasons to fulfil their duties completely, or they may arbitrarily decide not to fulfil them at all but pursue their private ends instead. The opposite extreme to a knight errant, so far as the service of the state goes, would be an official who clung to his office purely and simply to make a living without any real sense of duty and so without any real right to go on holding it.

What the service of the state really requires is that men shall forgo the selfish and capricious satisfaction of their subjective ends; by this very sacrifice, they acquire the right to find their satisfaction in, but only in, the dutiful discharge of their public functions. In this fact, so far as public business is concerned, there lies the link between universal and particular interests which constitutes both the concept of the state and its inner stability (see Paragraph 260).

It follows that a man's tenure of his civil service

like an agent to perform a single casual act of service; on the contrary, he concentrates his main interests (not only his particular interests but his mental interests also) on his relation to his work. Similarly, the work imposed upon him and entrusted to him is not merely a particular thing, external in character; the value of such a thing is something inward and therefore distinct from its outward character, so that it is in no way impaired if what has been stipulated is not fulfilled (see Paragraph 77). The work of a civil servant, however, is as such a value in and for itself. Hence the wrong committed through its non-performance or positive misperformance (i.e. through an act contrary to official duty, and both of these are of that type) is an infringement of the universal content itself (i.e. is a negatively infinite judgement—see Paragraph 95) and so is a trespass or even a crime.

The assured satisfaction of particular needs removes the external compulsion which may tempt a man to seek ways and means of satisfying them at the expense of his official duties. Those who are entrusted with affairs of state find in its universal power the protection they need against another subjective phenomenon, namely the personal passions of the governed, whose private interests, &c., suffer injury as the interest of the state is made to prevail against them.

295. The security of the state and its subjects against the misuse of power by ministers and their officials lies directly in their hierarchical organization and their answerability; but it lies too in the authority given to societies and Corporations, because in itself this is a barrier against the intrusion of subjective caprice into the power entrusted to a civil servant, and it completes from below the state control which does not reach down as far as the conduct of individuals.

The conduct and culture of officials is the sphere where the laws and the government's decisions come into contact with individuals and are actually made good. Hence it is on the conduct of officials that

f t. sts from th start and dev te themsel es t t. uni ersal nd.

As for t. eneral guarantee which is supposed t lie peculiarly in the Estates, each f th th politi cal insti utions s.ares with th Estates in bei. guarantee f p bli welfare and rational freed m and som f t.ese in.tit ti ns, as f instance th sovereignty f th m narch, hereditary s ccess.i to the t.rone th j dicial system &c., guarantee these things far m re ffectively than th Estates can. Hence th specifi functio which th co cept as-gns t t.e Estates is t be so ght in th f ct th t in t.em th b ecti e m ment in niversal freed m—th p j dgement and privat will f th sph re ca.ed civil society" in this book—comes in exist

30 Regarded as mediating organ, the Es ta es tand between the go ernment in gen ral on the o hand and th nati b oken up int particulars (peop e and a ociations) o the *other* Their functi requires them to possess a po tical and administrati e se.se and tempe no less than sense f r th interests f indi duals and particula gr ups At the same time t.e significa e f thei pos on is that in om mon w.h th rganized xecuti e they are a middl t m p enting both the extreme isola tion of th pow r of the crown whi h therwis might seem a m re arb trary t ranny and also th solation f th particula interests f per sons societies and C rporatio.s Further and m re important, they p event indi duals from h ing t.e ppearance f ma r an ggregate and so f om quiring an un rganized opini n and lilti and from crystallizing t.t power ful bl in o pos tio t th rganized state

It ne f th most important discoveries f logic t.a specifi m m t which, by standing in an p-position, has th posit. f an extrem ceases t be such and moment in an rgani wh l by being at the same tim mean. In connexi with ur present t pi it is ll th m re important to empha size t.is aspect f th mat because f th popular but most dangerous, prej dice which regards th Esta es principall from th point f view f their opposit n.to th executive as if that were their es-sential t de. If th Estates become an rgan in the whole by being taken up int the stat they evince themselves solel through their mediating f.nction. In t.is wa their pposit o t th execu tiv is reduced sh w There may indeed be an ppearance f ppo tio betwee them, but if they were pposed, t merely uperficially b t ctually and in substance then th state would be in the throes f destructi n. That th clash is t f this kind is evident in th nature f th thing because th Estates have t deal t with th essential le m ts in th rganism f th stat b t only with ... ... red and trifling matt rs, wh. th pas

state. [A.]

303 The universal class or more preci.ely the class of ci il servants mu.t purely in rtue of its character as uni ersal ha e the un e sal as th e d f its es ential acti ty In the Es tat as an element in th legi.lati power the un fficial class acquires its political s gnificance and efficacy it appears the ef e in the E.tates ne the as mere indiscriminate multit de n r as an aggregate dispersed into its atoms but s what it already is nam ly a class s bdi ided int two o e sub-class [the gricultural class] bein. based on a ti f substance between its members and the other [the busin s class] on particular needs and the work whereby these are met (see Paragraph o ff) It is only in this way that there is genuine link between the particular which is effecti e in the state and the universal.

member f gen ral group Th tat h wever is esse tiall an rganizati each f whose members is in tself group f this kind, nd hence n ne f its m ments sh uld ppear as an un rganized ggre gat Th Many as units—a con.enial interpreta ti f "people are f course som thing connected, but they are connected nly as an ggregat f m less mass hose comm ti and ctivity could th re f re nly be lementary irrati nal, barbarous, and frightful. When we hear speakers th constituti expatiating bout th "peopl —this rganized collection—we kn w from th start that w ha thing t expect b t generalities and perverse dec lamations

The circles f associati in civil society are already communities. T p cture these communities as nce

an the and as t w re t han, the latte in th air because its basis could th nly be th bstract in

talents of its members together with the infin t ly

a s te form of r ches namely money (Services requisitioned for the defence of the state in war arise for the first time in connexion with the duty considered in the next subdivision of this book) In fact however money is not one particular type of wealth amongst others but the universal form of all types so far as they are expressed in an external embodiment and so can be taken as things Only by being translated into terms of this extreme culmination of externality can services exacted by the state be fixed quantitatively and so justly and equitably

In Plato s *Rep bl c* the Guardians are left to allot ndividuals to thei particular classes and impose on them their particular tasks (compare Remark to Paragraph 185) Under the feudal monarchies the serv ces required from vassals were equally indeterminate but they had also to serve in their *pa t cula* capacity e g as t d Th —
acte
E y
dert
prin
prin nu vidual s substanti e activity—wh ch in any case becomes something particular in content in services like those mentioned—shall be mediated through h s particular vol tion This is a r ght wh ch can be ecured only when the demand for service takes the form of a demand for something of universal value and it is this right wh ch has brought with it this conversion of the state s demands into demands for cash [A]

300 In the legislature as a whole the other powers are the first two moments which are effective (i) the monarchy as that to which ultimate decisions belong (ii) the executive as the advisory body since it is the moment possessed of (α) a concrete knowledge and oversight of the whole state in its numerous facets and the actual principles firmly established within it and (β) a knowledge in particular of what the state s power needs The last moment in the legislature is the Estates [A]

301 The Estates have the function of bringing public affairs into existence not only implicitly but also actually i e of bringing into existence the moment of subjective formal freedom the public consciousness as an empirical universal of which the thoughts and opinions of the Many are particulars

The phrase the Many (*l π λλ l*) den tes empir al universal ty more strictly than All which is in c rrent u If it is sa d t b obvious that this all prima facie excludes at least children women, &c then it is surely still more obvious that the qu e definite w rd all should not be used when something quite indefinite is meant

Current opinion has put f —
such a
speak a
tates
specify t p nu and correct them The idea uppermost in men s minds when they speak about the necessity or the expediency of summoning the Estates is generally somethin of this sort (i) The deputies of the people or even the people themsel es, must know best what is in th ir best interest and (ii) their will for its promot on is undoubtedl the most disinterested So far as the first of these po nts is concerned however the truth is that if people me ns a particular sect on of the citizens th n it means precisely that section w h ch does *not* know what it wills To know what one wills and still more to know what the absolute will Reason wills, is the fruit of p f
ci

t y have a deeper and more comprehensi e in si ht int the nature of the stat s orga zati n a d requ rements They are al o more h bit ated to the bus ness of government and hav greater skill in it, so that even without the E tates they are *able* to do what is best just as they also continually *hat t do* while the Estates are i sess on No the guar tee l es on the contrary ( ) in the *add t o al* insight *of* th d puties ns ght in the first pl ce into the activ ity of such ff cials as are not immediately u der the eye of the higher functionaries of st te nd in par ticul r into the more press ng and m e speci li ed ne ds and deficie c es h ch are directly in their view (β) n th f ct that th anticipation of criticism fr m th Many p rticularly of public criticism has the effect of ind ci g fficials to dev t the best atte tion bef rehand to thei dut es and the schemes u d c n ideration and to d l ith these only in ac ordance w th the pur st moti es This same comp lsi n i effecti al o n th members of the Estates th msel es.

As for the consp cuously good will *fo* th general welf e h ch th E t tes r suppo d t pos ess, it h he n

l s
L p j po ti n cha te istic of the rabble or of the eg ti tl k g ll This p esupposition m ght t on e be swe d on it w ng gr und by the c unter-ch g th t the Estates t t fr m isol ted i d du ls, from pri ate po nt f view f m p t t cul i t rests, and so a e in h d t d ote their act it es t these at th expense f the g ral in t ests wh l *p* *f a th* the m m nts f the pow of th st te e pl citly tak up the ta dpo nt

See Pa agr phs 4 ff —E
Se R m k t l graph 3 3

f t tat from th start and devote themselves t the universal nd.

As f t general guarantee which is supposed t E peculiarly in t Estates, each f the ther politi cal ins ions shares with th Estates in bei guaran ee f publi welfare and rati nal freed m, and som f these in tituti ns, as f instance th sovereignty f th m narch, hereditary ccessi t the throne, th judicial system &c., guarantee these things far more ffectively than th Estates can.

Hence t speci functio which th co cept assigns t Estates is t be sought in th f ct that in t em t bjective moment in uni ersal freed m— th p a j dgement dpri at will f th sob re called civil society" in this book—comes m ex t

3 Regarded as a mediating rgan, th Estates stand between th government in general n th o e hand and the nation b ken up into particulars (peopl and associati ns) o the other Their function require them to possess a poli cal and dministrati e sense and temper no les than a sense fo the in erest f indi duals and parti ula gr ups. At th same time t significance f th ir pos on is that in com mon with the organized ecuti e they are a midd t rm preventing both t extreme isola ti f t power of the crown, which therwise might seem a mere *arb trary tyranny* and also t isola f th particula interests of per sons soci ties and C rporat ons Further and more importa t t y prevent indi duals f om havi g t e ppearan of mas an aggregat and so from quiring an un ganized opinion and lition and f m crystallizing into power ful *bloc* in oppo ti to the organized tate

I is ne f th most important discoveries f logic that speci m me t which by standing in an p- position, has th positi f an extrem ceases to be such and m ment in an rgani wh l b being t t same tim mean. In connexi with ur present opic it is all th m re important t empha size this aspect f th matt because f th popular but most dangerous, prej dice which regards th Estates principally f m th point f view f th ir oppositi n, the executive, as if that were their es- sential ti de. If th Estates become an rgan in th whole b being taken up in th sta they evince t emselves sol l through their mediating function. I this wa their pposition to th execu- tive is reduced to sh w There ma indeed be an ppearanc f pposition between them, b t if they were pposed, not merely superficially b t actually

and in substance then th stat wo ld be in t throes f destructi n. That the clash is n t f this *kind is evident in th* nature f th thing because th Estates have t deal t with th essential le ments in th rganism f the stat but only with rather specialized and tri ing matt rs, wh the pas sio which e these rouse spends self in party cravings in connex with purely bjecti int r ests uch as appointments to th high ffices f state. [A.]

303 The uni ersal class or more precisel the class of civil ervants must, purely in rtue of its character as uni ersal ha e the uni rsal as th end of it essential acti it In the Es tates as an *element in the legi lat e power* the unofficial class acquires its political gnificance and efficacy it appears therefore in the Estates ne ther as a mere indiscriminate multitude no as an aggregate dispersed into ts t m but as what already is namely cla s subdi ided into tw e sub-class [the agricultural class] being based on a tie of substance between ts members and t e ther [the business class] o particular needs and th wo k whereb these are met (see Paragraph o ff) It is only in this way that there is a genuine link between the particula which is effecti in the state and the uni ersal.

This runs count t an ther prevale t dea, t idea that since t is in t legislatu that th unof ficial class rises t th level f participating in mat ters f stat t must ppear th re in the form of in- dividuals, wh ther indi iduals are t choose repre sentati es f this purpose wh ther every singl indi dual is t have vot in the legislature himself This t mistic and bstract point f view vanishes t the tare f th family as w ll as that f civil so- ciety where th indi idual is in evidence nly as member f gen ral group Th tate, however is essentially an rganizati each f whose members is in tself group f this kind, and hence ne f ts m ments h uld ppear as an un rganized aggre gat Th Many as units—a congenial interp eta tio f "people, are f course somethin connected, but they are connected nly as an aggregat f rm less mass whose comm ti and ctivity could th re f re nly be elementary irrati nal, barbarous, and frightful. When we hea speakers th constit tion expatiating bout the "peopl —this un rganized collection—we kn w from t e tart that w have thing t expect b t generalities and perverse dec lamations

The circles f associa in ci il society are already communities. T picture these communities as nce

anothe and as t w re t hang the latt in the air because ts basis could then nl be the bstract in

dividuality of caprice and opinion and hence it would be g ounded on chance and not on what is absolutely stable and just fied

So called theories of th s kind involve the idea that the classes (*St de*) of civil society and the Estates (*Stande*) *which are the classes given a political significance* stand wide apart from each other But the German langua e by calling them both *Sta de* has still maintained the unity which in any case they actually pos essed in former t mes

304 The Estates as an element in political life still retain in their own function the class dis

principle of monarchy or the crown their position is that of an extreme—empirical universality This extreme opposition implies the possibility though no more of harmonization and the equally likely possibility of set hostility This abstract position changes into a rational relation (into a syllogism see Remark to Paragraph 30) only if the middle term between the opposites comes into existence From the point of view of the crown the executive already has this character (see Paragraph 300) So from the point of view of the classes one moment in them must be adapted to the task of existing as in es ence the moment of mediation

305 The principle of one of the classes of civil society is in itself capable of adaptation to this political position The class in question is the one whose ethical life is natural whose basis is family life and so far as its livelihood is concerned the possession of land Its particular members attain their position by birth just as the monarch does nd in common with him they possess a will which rests on itself alone

306 This class is more particularly fitted for political position and significance in that its capital is independent alike of the state s capital the uncertainty of business the quest for profit and any sort of fluctuation in possessions It is likewise independent of favour whether from the executive or the mob It is even fortified again t its own wilfulness because those members of this class who are called to political life are not entitled as other citizens are either to di pose of their entire property at will or to the assurance that it will pass to their children

307 The right of this section of the agricultural class is thus based in a way on the natural principle of the family But this principle is at

See P graph 199 —Ed

As a consequence of this this class is summoned and entitled to its political vocation by birth without the hazard of election It therefore has the fixed substantive position between the subjective wilfulness or contingency of both extremes and while it mirrors in itself (see Paragraph 305) the moment of the monarchical power it also shares in other respects the needs and rights of the other extreme [i e civil society] nd hence it becomes a support at once of the throne and society

308 The second section of the Estates comprises the fluctuating element in civil society This element can enter politics only through its deputies the multiplicity of its members is an external reason for this but the essential reason is *the specific character* of this element and its activity Since these deputies are the deputies of civil society it follows as a direct consequence

collected to perform only a single and temporary act and kept to ether for a moment and no longer On the contrary it makes the appointment as a society articulated into associations communities and Corporations which although constituted already for other purposes acquire in this way a connexion with politics The exi t ence of the Estates and their assembly find a constitutional guarantee of its own in the fact that this class is entitled to send deputies at the summons of the crown while members of the former class are entitled to present *themselves* in person in the Estates (see Paragraph 307)

To hold th t every sin le pe s nsh uld sh re in de liberating a d decidi g on politic l m tters of gen e l concern on th g ound that all ind d ls are m mbe s of the t t th t ts concerns re th ir c nc s and th t it is th right that what is done sho ld be done with the k wl dg d of tion is ta t m unt to a proposal to p t th d m cratic elem t w thout any rat l fo m i t th org ism of the st te alth ugh it is ls in t e of the pos sess n of such a form th t th t t is rga ism at all This idea c m s re dily t m d because it d es ot go beyo d th abstraction of be g m m b r f the stat and it is superfici l think ng wh ch cl gs to abst tion The rat o l c nsid ration of a t p c the sciousness f th Idea is c ncrete a d to that e t t coincides w th a ge l e p ct cal se se Such a se se is itself noth ng but th sense of rationality or the Id a th gh it is not to be c

used with mere business ro un the honro f reneted where Th concret a is the whole arenta ed m is particula groups. The member f sta member f such gro p f social class, and it is a characterized in this objectie way that he comes under conside atio when we are dea with the state His mere character as univer sal im es that h is t e an th same time both n perse and also t conscousness, will with will the universal. This consciousness n will, howeve lose t eir em iness and equire content and living, reality ny w en the are ed w particularity and particularity means determinate as particular and particular class-status t prt the mat ot rwise abstract in dividual generic essence b has is immanent universal retains as t generic essence ext highest in t scale Hence t single perso t his his real and living destin f universal m w en h member Corporatio society &c. en y r

a included.

A ter presupposition f t idea that all sound participation in the business f t sta is that every ess n ficat as tion,

eq m deputies are ected to deliberate and decide on the matters the point about their ect on is it t is a choice of individuals on the strength f confidence fel in them, i a choice f such m duals as have a better understanding f these matters than their elector have and such also as essentially vindicate the universal interest, not the particular interest of a society C rrvo them in pre erence o that interest Hen their relation t their lect s is t arrangements with commission specific instructions A further bar t their being so is that their emb is meant to be I body in w h all members deliberate in common and reciprocally instruct and convince each other. A.]

Th guarantee t deputies will have the qualities and disposition that accord with t end—since independent mean talus is already in the first section of the Estates—is t be found so the second section is concerned in the section drawn from the fluctuating and changing element in civil society—above all in knowledge of the organization and interests of the and civil society, the temperament and the skill wh h deputies acquire as result the actual transaction of business in

ma gerial o official positions and then evinces in his actions As a result he al o acquires and develops a ma gerial and political sense tested by his experience and this is a further guarantee of his suitability as a deputy.

Subjective opinion, naturally enough, finds superfluous and even perhaps offensive the demand for such guarantees if the demand is made with reference to what is called the 'people'. The state, however, is characterized by objectivity not by subjective opinion and its self-confidence. Hence it can recognize in individuals only their objectively recognized and tested character and ... be all the more careful on this point in connexion with the second section of the Estates, since this section is rooted in interests and activities directed towards the particular, i.e. to the sphere where chance, mutability, and caprice enjoy their right of free play.

The external guarantee, property qualification, if taken by itself evidently just as one-sided in its externality as, at the other extreme, are purely subjective confidence and the opinion of the electorate. Both alike are abstractions in contrast with the concrete qualifications requisite for deliberation on affairs of state and comprised in the points indicated in Paragraph 3. This part however, property qualification has where it may work effectively in the choice of the heads and other officers of the associations and societies, especially if many of these posts are honorary and in direct reference to Estates business if the members draw no salary.

311. A further point about the election of deputies is that, since civil society is the electorate, the deputies should themselves be conversant with and participate in its special needs, difficulties, and particular interests. Owing to the nature of civil society, its deputies are the deputies of the various Corporations (see Paragraph S) and this simple mode of appointment obviates any confusion due to conceiving the electorate abstractly and as an agglomeration of atoms. Hence the deputies eo ipso adopt the point of view of society, and their actual election is therefore either something wholly superfluous or else reduced to a trivial play of opinion and caprice.

It is obviously of advantage that the deputies should include representatives of each particular main branch of society (e.g. trade, manufactures, &c., &c.)—representatives who are thoroughly conversant with it and who themselves belong to it. The idea of free unrestricted election leaves this important consideration entirely at the mercy of chance. All such branches of society, however, have equal rights of representation. Deputies are sometimes regarded as 'representatives'; but they are representatives in an organic rational sense only if they are representatives not of individuals ... conglomeration of them, but

dividuality of caprice and opinion and hence it would be grounded on chance and not on what is absolutely stable and justified

So called theories of this kind involve the idea that the classes (*Stande*) of civil society and the Estates (*Stande*) which are the classes given a political significance stand wide apart from each other But the German language by calling them both *Stande* has still maintained the unity which in any case they actually possessed in former times

304 The Estates as an element in political life still retain in their own function the class distinctions already present in the lower spheres of civil life The position of the classes is abstract to begin with i e in contrast with the whole principle of monarchy or the crown their position is that of an extreme—empirical universality This extreme opposition implies the possibility though no more of harmonization and the equally likely possibility of set hostility This abstract position changes into a rational relation (into a syllogism see Remark to Paragraph 302) only if the middle term between the opposites comes into existence From the point of view of the crown the executive already has this character (see Paragraph 300) So from the point of view of the classes one moment in *them must be adapted to the task of existing* as in essence the moment of mediation

305 The principle of one of the classes of civil society is in itself capable of adaptation to this political position The class in question is the one whose ethical life is natural whose basis is family life and so far as its livelihood is concerned the possession of land Its particular members attain their position by birth just as the monarch does and in common with him they possess a will which rests on itself alone

306 This class is more particularly fitted for political position and significance in that its *capital is independent alike of the state's capital* the uncertainty of business the quest for profit and any sort of fluctuation in possessions It is likewise independent of favour whether from the executive or the mob It is even fortified against its own wilfulness because those mem whom they love equally in similarly equal divisions Hence their wealth becomes inalienable entailed and burdened by primogeniture [A]

307 The right of this section of the agricultural class is thus based in a way on *the natural* principle of the family But this principle is at the same time reversed owing to hard sacrifices made for political end and thereby the activity of this class is essentially directed to those ends As a consequence of this this class is summoned and entitled to its political vocation by birth without the hazards of election It therefore has the fixed substantive position between the subjective wilfulness or contingency of both extremes and while it mirrors in itself (see Paragraph 305) the moment of the monarchical power it also shares in other respects the needs and rights of the other extreme [i e civil society] and hence it becomes a support at once of the throne and society

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To hold th t e e v s ngle pe n ho ld sh re in deliberating a d decidi g on political m tters of g n eral concern o the g o d that all ind id al are membe s of th state th t its co cerns re the r conce n nd th t it is thei right that what is d ne should b done with their knowl dge a d l t n i tantam t to a p oposal to put the d m crat c el ment with t any ratio al form int the rg ism of th tate although it is only in t t of the pos-

a topic the consciousness of th Id is concret a l to th t tent c ncides with g uine p actical *sense* S ch a sense is itself n thing but the se se f ratio l ty or the Id a th ugh it is n t t be c n

See P graph 199 —Ed

Hen t is t smp d t subjecti diff re ce f rew that w find it said that *p pu Dei* and on t ther ha d, a Ariost has t,

Ck 'l olgar gn t g riprenda
E porli p di q l k m tend

a. Goet puts t, "th masses ar respectable hands fi hting b t miserable ha ds t j dging types f assertio are tru t and th sam

nocuous character which it acquires as a result principally of the rationality of the constitution th stabilit of go ernment and secondly of the publicity f E tates Assemblies The rea n why the latter makes free speech harmless is that what is o ced n these A semblies is a sound nd mature in ht into the concerns of the sta e w th the result that members of the gen eral public a e left with nothing of much im porta ce to say and abo e all a e depri ed of the op nion that what they say is of peculiar importan and efficacy A further safegua d of free spee h is the indiffere ce and contempt speedily and ecessarily v ited on hallow and cantank rous talking

T define freed m f th p ess as freedom t say d write what w please is parallel t the s- serti that f eed m as such means freedom t d w please Talk f this kind is d t wh lly ned

no s.

A great genius propounded as problem f pub-lic essay competiti th questio hether t be permissible t decei peop e. Th answer must have been that people does t allow tself t be decei ed bout its substanti basis, th esse ce nd specifi character f its mi d. On th ther hand, t is *self*-deceived bo t th manner f ts kn wledg f these thi s d bout s correspo ding j dgement f ctions experien es, &c. [A.]

3 8 Publi opini ther fore deserves t be as m h espected as despi ed—despised fo ts concr t exp ession and f the co cret on sci usness t expres es respected for ts essen tial basis ha is whi h nly glimmers m r les dimly in that concret xp es on. But in itself t has nt rion f discriminati no has t th ability t extract th b tanti ment t tains and raise t to p cise knowl edg Th s t be independent f publi *op nion* is t e first f rmal dition of h eving any t ing great or rational wheth in lif or in ci enc Great hievement is assured, h wever f subsequent ecogni on and grateful cceptance by publi opini n, whi h in d urse will make t on f ts own p ejudices [A.]

3 9 F eedom f publi communication—of the tw modes of communicati the pres and the spoken word, th firs xc eds the co d in range of ontact but lags behind t in a ty— satisfaction of the goading des e t sa on say and t ha said t is directly as ur d by the laws and by laws which ont l punish ts e esses. But t is su d indirectly by the in

nacy f law and sin th trespass, wro g and in jury h re are so extrem ly personal and subjecti in f rm j d eme t them is ed ced equally to

pends them whether th injuri us expressi f opinion is is t ctually an ffecti ct

Laws then [gainst libel, &c.] may be criticized by exhibiting their indeterminacy as w ll as by rgu ing that they leave t pe t th speaker writer t devise turns f phrase tricks f exp essi and so evade th laws claim that j dicial decis ns are mere bjecti erdicts. Furth however gainst th ew that th expressi f pini is an ct with injurious ffects t may be maintained that t is t an act t all, but nly opinin and thinkin nly talking And so w ha e bef us claim that mer p ning and talkin is to g unpunished be cause t is f purely subjective character both in f rm and co tent, because t does t mean any thing and is f importance And y t in th same

of one of the essential pheres of societ) and its la ge cale interests Hence representation cannot now be taken to mean simply the substitution of one man for another the point is rather that the in terest itself is actually present in its representative while he himself is there to represent the objective element of his own being

As for popular suffrage it may be further remarked that e pecially in large states it leads inevitably to electoral indifference since the casting of a single *vote is of no significance where there is a multitude* of electors Even if a voting qualification is h ghly valued and *esteemed by tho e who a e entitled to it* they still do not enter the polling booth Thus the result of an institution of this kind is more likely to be the opposite of what was intended election ac tually falls into the power of a few of a caucus and so of the particular and contingent inte est which is precisely what was to have been neutrali ed.

312 Each class in the Estates (see Paragraphs 305 8) contributes something peculiarly its own to the work of deliberation Further one mo ment in the class element has in the sphere of politics the special function of mediation medi ation between two existing things Hence this moment must likewise acquire a separate exist ence of its own For this reason the assembly of the Estates is divided into two houses

313 This division by providing chambers of the first and second instance is a surer guaran tee for ripeness of decision and it obviates the accidental character which a snap divi ion has and which a numerical majority may acquire —

the side of the lower house the weight of the lower house s opinion is all the stronger because it appears less partisan and its opposition ap *pears neutralized*

314 The purpose of the Estates as an institu tion is not to be an inherent *sine qua non* of maximum efficiency in the consideration and dispatch of state business since in fact it is only an *added* efficiency that they can supply (see Paragraph 301) Their distinctive purpose is that in their pooled political knowledge de h m m of f rm l

any share in the executive Consequently it is knowledge of public business above all which is extended by the publicity of Estates debates

See P rag ph 3 t 304 3 5 3 3 d th R ma k t P r ph 4—E

315 The opening of this opportunity to know has a more universal aspect becau e by this means public opinion first reaches thoughts that *are true and attains insight* into the ituation and concept of the state and its affair and so first acquires ability to estimate these more ra *tionally By this means also it becomes* ac quainted with and learns to respect the work abilities virtues and dexterity of ministers and *officials While such publicity provides these* abilities with a potent means of development and a theatre of higher distinction it is at the same time *another antidote to the self conceit* of individuals singly and *en masse* and another means—indeed one of the chief means—of their *education* [A]

316 The formal subjective freedom of indi viduals consists in their having and expre sin A

lic opinion in which what is absolutely univer sal the substantive and the true is linked with *its opposite the purely particular and private* opinions of the Many Public opinion as it exi ts is thus a standing self contradiction Knowledge *as appearance the essential just as directly* pres ent as the inessential [A]

317 *Public opinion therefore* is a repository not only of the genuine needs and correct tend encies of common life but also in the form of common sen e (i e all pervasive fundamental ethical principles di guised as prejudices) of the eternal substantive principles of justice the true content and result of legislation the whole constitution and the general position of the state At the same time when this inner truth emerges into consciousness and embodied in general maxims enters representative thinking —whether it be there on its own account or in — k f l w ts

ignorance and perversity *by its mistakes and* faLity of judgement. Since in con idering such opinion we have to do with the consciou ne s of an insight and *conviction peculiarly one s own* the more peculiarly one s own an opinion may be the wor e its content is because the bad is *that which is wholly private and personal* in its content the rational on the other hand is the ab olutely uni ersal while it is on peculiarity that opining prides itself

head—a patriarch, chieftain, &c.—is apprehended to this original appearance of the state.

The negative relation of the state to itself is embodied in the world as the relation of one state to another and as if the negative were something external. In the world of existence therefore this negative relation has the shape of a happening and an entanglement with chance events coming from without. But in fact this negative relation is that moment in the state which is most supremely its own. The state's individuality as the dem of everything finite, wherein the substance [illegible] power against everything individual and particular, against life, property, and their rights, even against societies and associations—makes the nullity of these finite things an accomplished fact and brings it home to consciousness.

324. This destiny whereby the rights and interests of individuals are established as a passing phase, is at the same time the positive moment, i.e. the positing of their absolute not their contingent and unstable individuality. This relation and the recognition of it is therefore the individual's substantive duty, the duty to maintain this substantive individuality, i.e. the independence and sovereignty of the state, at the risk and the sacrifice of property and life, as well as of opinion and everything else naturally comprised in the compass of life.

An entirely distorted account of the demand for this sacrifice results from regarding the state as a mere civil society and from regarding its final end as only the security of individual life and property. This security cannot possibly be obtained by the sacrifice of what is to be secured—on the contrary.

[illegible]

ed as an absolute evil and as a purely external accident which itself therefore has some accidental cause, be it injustices, the passions of nations or the holders of power, &c., in short, something or other which ought not to be. It is to what is by nature accidental that accidents happen, and the fate whereby they happen is thus a necessity. Here as elsewhere the point of view from which things seem pure accidents vanishes if we look at them in the light of the concept and philosophy, because philosophy knows accident for a show and sees in it its essence, necessity. It is necessary that the finite—property and life—should be definitely established as accidental, because accidentality is the concept of the finite. From one point of view this necessity appears in the form of the power of nature and everything is mortal and transient. But in the ethical substance, the state, nature is robbed of this power, and the necessity is exalted to be the work of freedom, to be something ethical. The transience of the finite becomes a willed passing away, and the negativity lying at the roots of the finite becomes the substantive individuality proper to the ethical substance.

War is the state of affairs which deals in earnest with the vanity of temporal goods and concerns—a vanity at other times a common theme of edifying sermonizing. This is what makes it the moment in which the ideality of the particular attains its right and is actualized. War has the higher significance that by its agency, as I have remarked elsewhere, 'the ethical health of peoples is preserved in their indifference to the stabilization of finite institutions; just as the blowing of the winds preserves the sea from the foulness which would be the result of a prolonged calm, so also corruption in nations would be the product of prolonged, let alone 'perpetual', peace.' This, however, is said to be only a philosophic idea, or, to use another common expression, a 'justification of Providence', and it is maintained that actual wars require some other justification. On this point, see below.

The ideality which is in evidence in war, i.e. in an accidental relation of a state to a foreign state, is the same as the ideality in accordance with which the domestic powers of the state are organic moments in a whole. This fact appears in history in various forms, e.g. successful wars have checked domestic unrest and consolidated the power of the state at home. Other phenomena illustrate the same point: e.g. peoples unwilling or afraid to tolerate sovereignty at home have been subjugated from abroad, and they have struggled for their independence with the less glory and success the less they have been able previously to organize the powers of the state in home affairs—their freedom has died from the fear of dying; states whose autonomy has been guaranteed not by their armed forces but in other ways (e.g. by their disproportionate smallness in comparison with their neighbours) have been able to subsist with a constitution of their own which by itself would not have assured peace in either home or foreign affairs. [A.]

325. Sacrifice on behalf of the individuality of the state is the substantial tie between the state and all its members and so is a universal duty. Since this tie is a single aspect of the ideality, as contrasted with the reality, of subsistent particulars, it becomes at the same time a particular tie, and those who are in it form a class of their own with the characteristic of courage.

326. The matter at issue in disputes between states may be only one particular aspect of their relation to each other and it is for such disputes that the particular class devoted to the state's defence is principally appointed. But if the state as such, if its autonomy, is in jeopardy, all its

Paragraphs 35 [illegible] and 343.—Ed.
Cf. Plato, Republic [illegible] 419.—Ed.

breath we hav the claim that this same opining and talking should be held in high esteem and respect—the opining becau e it is personal property and in fact pre eminently the property of mind the talking becau e it is only this same property being expressed and used

But the ubstance of the matter is and remains that traducing the honour of anyone slander abuse the contemptuous caricature of government its minis ters officials and in part cular the person of the monarch defiance of the laws incitement to rebel lion &c &c are all crimes or misdemeanours in one or other of their numerous gradat ons The rather h h degree of indeterminability wh ch such actions acquire on account of the element in which they are expressed does not annul this fundamental character of the s Its only effect is that the subjective field in which they are committed also determines the na ture and form of the react on to the off nce It is the field in wh ch the offence was committed which itself necess tates subjectivity of view contingency &c in the reaction to the offence whether the reac tion takes the form of pun shment proper or of po lice action to prevent crimes Here as always ab stract thinking sets it elf to explain away th funda mental and concrete nature of the thing by concen trating on isol ted aspects of its external appe rance and on abstract ons dra n therefrom

The ciences ho ever are not to be found any where in the field of opinion and subjective views provided of course that they be sc ences in other re pects Their exposition is not a matter of clever turns of phrase allusiveness half utterances and semi reticences but consists in the un mb guous determi n te and open express on of their meani g and pur p rt It follo s that they do not f ll u de the cate gory of public op nion (see Paragraph 316) Apart from this however as I said just now the element n which views and their expression become actions in the full sense and exist effectively consists of the i tell gence principles and opinions of others Hence th s a pect of these actions i e the r effecti eness p oper and the r da ger to individuals soc ty and the state (comp re Paragraph 218) depe ds on the character of the g ound on which they fall just as a sp rk falling on a heap of g npowder is mo e dan ge o s than if it falls on hard g ou d where it van ishes itho t trace Th s j t as the r ght of scienc to exp ess itself depe ds on a d is safeguarded by its subject matter and c t nt so an illegitim te ex p ss on may also acquire a measure f s ty or in order in a way to get even with them for all the

its it is restricted to futile malice and to the self condemnation which it impl citly contains.

3 o Subjectivity is manife ted in its most ex ternal form as the undermining of the estab lished life of the state by opinion and ratiocina tion when they endeavour to a sert the author ity of their own fortuitous character and o bring about their own destruction But its true actuality is attained in the opposite of this i e. in the subjectivity identical with the substantial will of the state the subjectivity which con u *tutes the concept of the power of the crown* and which as the ideality of the whole state has not up to this point attained its right or i s existence [A]

2 Sovereignty vis à vis *foreign States*

321 Sovereignty at home (see Paragraph 2 8) is this ideality in the en e that the moments of mind and its actuality the state have become developed in their necessity and subsi t as the organs of the state Mind in its freedom is an infinitely negative relation to itself and hence its essential character from its own point of view is its singleness a singleness which has in corporated these subsistent differences into it self and so is a unit exclusive of other units So characterized the state has individuality and individuality is in essence an individual and in the sovereign an actual immediate individual (see Paragraph 79)

322 Individuality is awareness of one s exist ence as a unit in sharp distinction from others It manifests itself here in the tate as a relation to other states each of which is autonomous *vis à vis* the others This autonomy embodies mind s actual awareness of itself as a unit and hence it is the most fundamental freedom which a people pos esses as well as its highest dignity

Tho e who talk of the wishes f a collection of people con t tuting a more or less auto omo s state with its own tre of its wishes to re ounce this centr d its autonomy in order to unite with others to form a new whole h ve v ry little k ledge of the n t of a collecti or of the feel g of self

as a nemesis of a more harmless type wh ch Roman soldiers vented against their ge rals whe they sang scurrilous songs about them in triumphal processions

Th legitimat th rity f tat and, m par ticula l so f as its f reign lati ns re cerned. f ts m narch also is partly purely do- meddl with

... nd h each di d al tat

so that wh tat is t be re gnis f th rs it hall likewise recognize them respect their to my and so t mes bo t th t they can t be indiff tt each th d mestic ffairs Th questi rises h w far madi people f

u [A.]

however is infinitel l ari d tha it is in ci il ciety because in c il oci ty indi duals e reciprocally terdepend t in th m t n merou respects whil aut n mous states re prin pally wh les whos eeds e met within their own bo ders

333 Th fundamental p opo tio of interna t onal law (e the uni ersal law which u ht t be l t l l d betw en tates as di tin gui hed f om th part ular te t f po t e t t es) that t eaties s the ground of obli g t between t tes ht t be kept But ince the ov nty of tat the prin ple of t lat ns t oth rs states re t that tent in tate of nature in lati t each oth r Thei right a ctualized nly in thei particu la wills d t in uni e sal will with nstu tuti nal pow rs e th m Thi uni rsal p o iso of int rnati nal l w th fo e does t go bey o d an ought to-be d what eally happens is that internati nal lat ns in dance with t eaty alternat with th ever an f these re la ons

There is Pra t j dg be w en tates t best there ma be b tra mediat d en t es cises his f cti ns co tin tly aly in dependen th particula ills f th disp tants Ka had dea f securin perpet l pea by Leag f N ti ns t dju n disp te It as

334 It foll ws that if states disagree and their particular wills can ot be harmo ized the mat ter can only be settl d by war A state through its s bjects has wide p ad connexio s and d th se may be readily

result f lo g d mestic peace to seek and c eate a phere of acti ty abroad.

33 Apart f om this the state is in essence mind and the efo cannot be prepared to stop t just taking notice of an injury *after* it has ctually occurred. On the contrary the e arises — nf h d a f s ch

guessing at intentions &c &c.

336 Since tates are elated to o e an ther as

g erning the elation f one state t an the This is ll the mo e the ca e sin the Ide of the state is p isely th upersessi n f the clash between right (i emp y b tract freed m) and welfare (i.e. th part cular co tent which fills that d) and t s when tates become *c n- cr te* wholes that they first attain re ognition (see P ragraph 33)

337 The ub tantial welf e of the state is its w lf e as particula state in its specifi inte est and tuat on and ts n l ss pec l f e n affairs in l di g ts part cula treaty lations It g ernment th f matter of p rticu la wi d m t f uni ersal P dence (com pa e Rema k to P ragraph 324) Similarly its

citizens are in duty bound to answer the summons to its defence If in such circumstances the entire state is under arms and is torn from its domestic life at home to fight abroad the war of defence turns into a war of conquest

The armed force of the state becomes a standing army while its appointment to the particular task of state defence makes it a class This happens from the same necessity as compels other particular moments interests and activities in the state to crystallize into a given status or class e g into the status of marriage or into the business or civil servant class or into the Estates of the Realm Ratiocination running hither and thither from ground to consequent launches forth into reflections about the relative advantages and disadvantages of standing armies Opinion readily decides that the latter preponderate partly because the concept of a thing is harder to grasp than its single and external aspects but also because particular interests and ends (the expense of a standing army and its result higher taxation &c) are rated in the consciousness of civil society more highly than what is necessary in and by itself In this way the latter comes to count only as a means to particular ends

327 In itself courage is a *formal* virtue because (i) it is a display of freedom by radical abstraction from all particular ends possessions pleasure and life but (ii) this negation is a negation of externalities and their alienation the culmination of courage is not intrinsically of a spiritual (*geistiger*) character (iii) the courageous man s inner motive need only be some particular reason or other and even the actual result of what he does need be present solely to the minds of others and not to his own [A]

328 The intrinsic worth of courage as a disposition of mind is to be found in the genuine absolute final end the sovereignty of the state The work of courage is to actualize this final end and the means to this end is the sacrifice of personal actuality This form of experience thus contains the harshness of extreme contradictions a self sacrifice which yet is the real existence of one s freedom the maximum self subsistence of individuality yet only as a cog playing its part in the mechanism of an external organization absolute obedience renunciation of personal opinions and reasonings in fact complete *absence* of mind coupled with the most intense and comprehensive *presence* of mind and decision in the moment of acting the most hostile and so most personal action against individuals coupled with an attitude of complete indifference or even liking towards them as individuals

See P ragraph 3 8 d th R ma k th et —Ed

To risk one s life is better than merely fearing death but is still purely negative and so indetermi -

bent on crime as their end adventurers pursuing ends planned to suit their own whims &c these too have spirit enough to risk their lives

The principle of the modern world—thought and the universal—has given courage a higher form because its display now seems to be more mechanical the act not of this particular person but of a member of a whole Moreover it seems to be turned not against single persons but against a hostile group and hence personal bravery appears impersonal It is for this reason that thought has invented the gun and the invention of this weapon which has changed the purely personal form of bravery into a more abstract one is no accident

329 The state s tendency to look abroad lies in the fact that it is an individual subject Its relation to other states therefore falls to the power of the crown Hence it directly devolves on the monarch and on him alone to command the armed forces to conduct foreign affairs through ambassadors &c to make war and peace and to conclude treaties of all kinds [A]

B *International Law*

330 International law springs from the relations between autonomous states It is for this reason that what is absolute in it retains the form of an ought to be since its actuality depends on different wills each of which is sovereign [A]

331 The nation state is mind in its substantive rationality and immediate actuality and is therefore the absolute power on earth It follows that every state is sovereign and autonomous against its neighbours It is entitled in the first place and without qualification to be sovereign from their point of view i e to be recognized by them as sovereign At the same time however this title is purely formal and the demand for this recognition of the state merely on the ground that it is a state is abstract Whether a state is in fact something absolute depends on its content i e on its constitution and general situation and recognition implying as it does an identity of both form and content is conditional on the neighbouring state s judgement and will

A state is as little an actual individual without relations to other states (see Paragraph 3 2) as an individual is actually a person without *rappo t* with other persons (see Paragraph 71 and elsewhere)

g P g ph 40 O ec z ltl se R m k t P g ph 349 —Ed

the nature of mind, something of the fact that it is its nature to have growth ever as the law of its being, and since it comprehends that which it is, to have a form higher than that which constituted its mere being. But to those who reject this doctrine, mind has remained an empty word, and history a superficial play of casual, so-called "merely human", strivings and passions. Even if in connexion with history they speak of Providence and the plan of Providence, and express faith in a higher power, their ideas remain empty because they expressly declare that for them the plan of Providence is inscrutable and incomprehensible.

344. In the course of this work of the world mind, states, nations, and individuals arise animated by their particular determinate principle which has its interpretation and actuality in their constitutions and in the whole range of their life and condition. While their consciousness is limited to these and they are absorbed in their mundane interests, they are all the time the unconscious tools and organs of the world mind at work within them. The shapes which they take pass away, while the absolute mind prepares and works out its transition to its next higher stage.

345. Justice and virtue, wrongdoing, power and vice, talents and their achievements, passions strong and weak, guilt and innocence, grandeur in individual and national life, autonomy, fortune and misfortune of states and individuals, all these have their specific significance and worth in the field of known actuality; therein they are judged and therein they have their partial, though only partial, justification. World history, however, is above the point of view from which these things matter. Each of its stages is the presence of a necessary moment in the Idea of the world mind, and that moment attains its absolute right in that stage. The nation whose life embodies this moment secures its good fortune and fame, and its deeds are brought to fruition.

346. History is mind clothing itself with the form of events or the immediate actuality of nature. The stages of its development are therefore presented as immediate natural principles. These, because they are natural, are a plurality external to one another, and they are present therefore in such a way that each of them is assigned to one nation in the external form of its geographical and anthropological conditions.

347. The nation to which is ascribed a moment of the Idea in the form of a natural principle is entrusted with giving complete effect to it in the advance of the self-developing self-consciousness of the world mind. This nation is dominant in world history during this one epoch, and it is only once (see Paragraph 345) that it can make its hour strike. In contrast with this its absolute right of being the vehicle of this present stage in the world mind's development, the minds of the other nations are without rights, and they, along with those whose hour has struck already, count no longer in world history.

The history of a single world-historical nation contains (a) the development of its principle from its latent embryonic stage until it blossoms into the self-conscious freedom of ethical life and presses in upon world history; and (b) the period of its decline and fall, since it is its decline and fall that signalizes the emergence in it of a higher principle as the pure negative of its own. When this happens, mind passes over into the new principle and so marks out another nation for world-historical significance. After this period, the declining nation has lost the interest of the absolute; it may indeed absorb the higher principle positively and begin building its life on it, but the principle is only like an adopted child, not like a relative whom its ties are immanent and vital. —

home and battles abroad.

348. All actions, including world-historical actions, culminate with individuals as subjects giving actuality to the substantial (see Remark to Paragraph 279). They are the living instruments of what is in substance the deed of the world mind and they are therefore directly at one with that deed though it is concealed from them and is not their aim and object (see Paragraph 344). For the deed of the world mind, therefore, they receive no honour or thanks either from their contemporaries (see Paragraph 344) or from public opinion in later ages. All that is vouchsafed to them by such opinion is undying fame in respect of the subjective form of their acts.

349. A nation does not begin by being a state. The transition from a family, a horde, a clan, a multitude, &c., to political conditions is the realization of the Idea in the form of that nation. Without this form, a nation, as an ethical substance—which is what it is implicitly—lacks the objectivity of possessing in its own eyes and in the eyes of others a universal and universally valid embodiment in laws, i.e. in determinate thoughts, and as a result it fails to secure recognition from others. So long as it lacks objective

All editions read 345.—Ed.

aim in relation to other states and its principle for justifying wars and treaties is not a universal thought (the thought of philanthropy) but only its actually injured or threatened welfare as something specific and peculiar to itself

At one time the opposition between morals and politics and the demand that the latter should conform to the former were much canvassed On this point only a general remark is required here The welfare of a state has claims to recognition totally different from those of the welfare of the individual The ethical substance the state has its determinate being i e its right directly embodied in something existent something not abstract but concrete and the principle of its conduct and behaviour can only be this concrete existent and not one of the many universal thoughts supposed to be moral commands When politics is alleged to clash with morals and so to be always wrong the doctrine propounded rests on superficial ideas about morality the nature of the state and the state s relation to the moral point of view

338 The fact that states reciprocally recognize each other as states remains even in war—the state of affairs when rights disappear and force and chance hold sway—a bond wherein each counts to the rest as something absolute Hence in war war itself is characterized as something which ought to pass away It implies therefore the proviso of the *jus gentium* that the possibility of peace be retained (and so for example that envoys must be respected) and in general that war be not waged against domestic institutions against the peace of family and private life or against persons in their private capacity [A]

339 Apart from this relations between states (e g in war time reciprocal agreements about taking prisoners in peace time concessions of rights to subjects of other states for the purpose of private trade and intercourse &c) depend principally upon the customs of nations custom being the inner universality of behaviour maintained in all circum tances [A]

340 It is as particular entities that states enter into relations with one another Hence their relations are on the large t scale a maelstrom of external contingency and the inner particularity of passion private interests a d elfi h ends abilities and virtues vices force and wrong All these whirl together and in their vortex the ethical whole itself the autonomy of the tate is exposed to contin ency The principles of the national minds are wholly restricted on account of their particularity for it is in this particularity that as exi tent individuals they have their objective actuality and their self consciousness Their deeds and destinies in their reciprocal relations to one another are the dialectic of the finitude of these minds and out of it arises the universal mind the mind of the world free from all restriction producing it elf as that which exercises its right—and its right is the highest right of all—over these fini e minds in the history of the world which is the world s court of judgement

C World History

341 The element in which the universal mind exists in art is intuition and imagery in religion feeling and representative thinking in philo o-phy pure freedom of thought In world history this element is the actuality of mind in its whole compass of internality and externality alike World history is a court of judgement because in its absolute universality the particular—i e the *Penates* civil society and the national minds in their variegated actuality—is present as only ideal and the movement of mind in this element is the exhibition of that fact

342 Further world history is not the verdict of mere might i e the abstract and non rational inevitability of a blind destiny On the contrary since mind is implicitly and actually reason and reason is explicit to itself in mind as knowledge world history is the necessary development out of the concept of mind s freedom alone of the moments of reason and so of the self consciousness and freedom of mind This development is the interpretation and actualization of the universal mind

343 The history of mind is its own act Mind is only what it does and its act is to make itself the object of its own consciousness In history its act is to gain consciousness of itself as mind to apprehend itself in its interpretation of itself to itself This apprehension is its being and it principle and the completion of apprehension at one stage is at the same time the rejection of that stage and its transition to a higher To use abstract phraseology the mind apprehending this apprehension anew or in other words returning to itself again out of its rejection of this lower stage of apprehension is the mind of the stage higher than that on which it stood in its earlier apprehension

Cf M tesq e *Th Sp t f Law* xix 4 5—E

The q est n of th pe fectil l ty and *F l i of th Hum R c* rises her Th se wh h v m i tained this perfectib l ty h l vi d s methi g f

P ragraphs 34 60 ry m ressed s mmary f H g l s *Phil phy f Hi t y*—E

wh h any tat takes this f rm is th bsol t be gnnı g f ts b t ry This has bee mpha ızed d dem nstrated w th l rnı g and prof und nsight ın nnern th th hist ry f p rticular tates by D Stuh ın his b k *Der L terg g der N tur staaten*— w k ın h ch h leads th w y t ra tı nal treatment f co t t tı l hist ry and f his- tı ry gen rally Th p cıpl f bject ty and lf nscı f ed m ıs ther t sh wn t be th prıncıpl f th G rmanı pe pl b t th book ore f rth th th d lı f nat ral tates

s

nscı b ta tıality t g ıı al t m

356 ( ) The G eek ealm.
Thı realm poss es th s substa tıal unity of finite d fi t b to ly a myste o back ground, upp e ed ın dım ces. s of the mem ry ın c s d tr ditı nal ım g ry This back gr und, reb rn ut f th mind which diffe entı ates tself t ındı dual me t l ty emerges ınto

onsc u. ess but t a powe ta dı g abov d t d t (R ma k t Pa graph 79) on th th ha d th du sat f t of p t cul ds t y t mprı. d ın th sph of f d m b t legat d ex l ly t class of sla es.

357 (3) The R man lm
I this ealm diff tı t on ıs carried to ts c lus d th c l l f s und d w th ut d t th xt emes f th prı te s lf nscı us ss f pe o th ha d a d b- t t un rsality the oth Thı ppo t begı th la h b tw e the s b t t al ınt t f rı t ra y and the p ıncıple f f pers nality ın democratı f rm As th pp sı t on gr w th fi t f thes ppo ts dev l p ınt upersitio and the ma tena c f hea t l lf se kı g po e whıl the e d b mes m d m c rrupt until t nks ınt rabbl Finally th wh l dı ol ed d th esult ıs unı rsal mı f rt and the de tru tı of ethı al l f N tı l he oe die away

ınt the ı.n ty of a Pa theo all ındı duals are d graded to the level of prı ıate persons equal w th one another pos es ed of formal rights and the only bond left to hold them together ıs abstract ınsat able self will.

358 (4) The Germanic realm.
Mind and ts wo ld are thus both al'ke lost and plunged ın the infinite grief of that fate for wh ch a pe ple the Jew h people was held ın r dı ess M nd ıs here p e ed back upon ıtself ın the extreme of ıts ab lute negatıv ty This ıs the absolute turnı g point mind rises out of this sıtuat on a d gra ps the ınfi te pos t vıty of this ts ınwa d character ı e ıt gra.ps the principle of the unity of the dı ne natu e and the human the ec nc l tı n of objective truth d freed m as the truth and f eedom appear ng within self-con cı us es and s bjectivity a m f wh ch the

fırs f ll ınwa d and b

atıonalıty to become a mundane realm pro-

l ctual ealm wh s conte t ıs ı deed the truth

er th mundane h t a t gainst the l tter as compul e and frightf l fo e

360 Th two r alms st d dist ınushed f m one th r th gh at the same t me they re ted ın ıngle un ty and Id a Here the r distınctı n ıs ınt n ıfi d to absol te oppo t d stern truggle ens ın the u se of which the ealm of mind l wers the place of ts hea t an e rthly here d now t com mon w ldın of f t and ıdea The mundaı e lm o the th r ha d builds up ıts b t t depe dence ınt th ught and the prı c ple f l k

l

and u right us p wh l the e lm f truth has abando ed the wo ld of beyo d d

law and an explicitly established rational constitution its autonomy is formal only and is not sovereignty

It would be contrary even to commonplace ideas to call patriarchal conditions a constitution or a people under patriarchal government a state or its independence sovereignty Hence before history actually begins we have on the one hand dull innocence devoid of interest and on the other the courage of revenge and of the struggle for formal recognition (see Paragraph 331 and Remark to Paragraph 57)

350 It is the absolute right of the Idea to step into existence in clear cut laws and objective institutions beginning with marriage and agriculture (see Remark to Paragraph 203) whether this right be actualized in the form of divine legislation and favour or in the form of force and wrong This right is the right of heroes to found states

351 The same consideration justifies civilized nations in regarding and treating as barbarians those who lag behind them in institutions which are the essential moments of the state Thus a pastoral people may treat hunters as barbarians and both of these are barbarians from the point of view of agriculturists &c The civilized nation is conscious that the rights of barbarians are unequal to its own and treats their autonomy as only a formality

When wars and disputes arise in such circumstances the trait which gives them a significance for world history is the fact that they are struggles for recognition in connexion with something of specific intrinsic worth

352 The concrete Ideas the minds of the nations have their truth and their destiny in the *concrete Idea which is absolute universality* i e in the world mind Around its throne they stand as the executors of its actualization and as signs and ornaments of its grandeur As mind it is nothing but its active movement toward absolute knowledge of itself and therefore toward freeing its consciousness from the form of natural immediacy and so coming to itself Therefore the principles of the formations of this self consciousness in the course of its liberation—the world historical realms—are four in number

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endowed with knowledge so that mind is both the positive content and filling of mind and also the individual self awareness which is the living form of mind This principle is ethical individuality as beauty

The *third* principle is the inward deepening of this individual self awareness and knowledge until it reaches abstract universality and therefore infinite opposition to the objective world which in the same process has become mind forsaken

The principle of the *fourth* formation is the conversion of this opposition so that mind receives in its inner life its truth and concrete essence while in objectivity it is at home and reconciled with itself The mind which has thus reverted to the substantiality with which it began is the mind which has returned out of the infinite opposition and which consequently engenders and knows this its truth as thought and as a world of actual laws

354 In accordance with these four principles the world historical realms are the following (1) the Oriental (2) the Greek (3) the Roman (4) the Germanic

355 (1) The Oriental realm

The world view of this first realm is substantial without inward division and it arises in natural communities patriarchically governed According to this view the mundane form of government is theocratic the ruler is also a high priest or God himself constitution and legislation are at the same time religion while religious and moral command or usages rather are at the same time natural and positive law In the magnificence of this regime as a whole individual personality loses its rights and perishes the external world of nature is either directly divine or else God s ornament and the history of the actual is poetry Distinctions are developed in customs government and state on their many sides and in default of laws and amid the simplicity of manners they become unwieldy diffuse and superstitious ceremonies the accidents of personal power and arbitrary rule and class differences become crystallized into hereditary castes Hence in the Oriental state nothing is fixed and what is stable is fossilized it lives therefore only in an outward movement which becomes in the end an elemental fury and desolation Its inner calm is merely the calm of non political life and immersion in feebleness and exhaustion

A still substantial natural mentality is a moment in the development of the state and the point at

ADDITIONS

1 P ac ꝑ r

Laws are f tw kinds—laws f nature d laws f t.e land. Th law f nature simpl are what t.ey are nd re valid as they are they are t li a.l t encroachment th u-h in certain cases ma ma tra..gress them. T kn w th law f nature we must learn t know ture since ts laws are rmd and it is nly ur ideas bout t..em that can be false Th measure f these laws is tside us kn w ing them dds not..in.. t them nd does t assist their perati knowled.. f th m can expand, t.at is all. Kn wledge f th laws f th land is in e- way simila b t in nother wa not These laws too w learn t know just as they exist th citi zen knowled.. them is m re less f this sort and th student f positiv law eq ally st ps t what given. But th difference in the case f laws f th land is that t..ey ar use th spirit f reflectio and t..ei. diversity nce draws tte ti t th fact

valid simp y because it exists the co trary every ne demands that it .hall comply with his pri va ent ri n. Here then an antag nism is possible between what ught to be and what is, between t.. absol el ng t which tands unaltered nd th b rary determinati f what is t be recognized as .t A schism and conflict f t..is sort is t be found only in th t rri ry f mind, and because mind' p ..ex seems therefore t lead to discon tent nd unhappiness. men ar f en t..rown back from t.. rbitrariness f L t th co templation f nature and set themselves t take nature as an ex ample B it is precisely in these clashes between wha bso tely right and what rbitrariness makes pass as ri t t..at t..ere lies the need f st dy ing t.e f ndamentals f right In the right man must meet with his wn reaso consequently h must consider t..e ra ..ality f t.. right, and this is the task f our science in contrast with the positive study of law which ften has to do nly with con

traditions Th w ld f t -day ha m ddit a more -ent eed t mak t..is t d because whi..e am ngst th ancients th existing laws were still re spected and reverenced, n wadays th civilizatio f th g has taken new t rning nd th ught has placed tself t th head f everythin which is t

that th ght is t be pr -eminent ver th right,) tru thought is t an pinio abo t th thing b t th co cept f the thing .self The concept f th thin.. does t com ur wa by nat re Any has fin..ers and may take brush and col rs but th t does t mak him painter Th sam is tru bo t thinking. Th th ght f th ri..ht is surely t the th ught that everybody possesses t first hand the co trary exact thinking is cognizing and ppre hending th thin.. and ur pprehens sh ld theref re be scie tific.

P gr ph

Th concept d its bjective existence are two sides f th sam thing di.tinct and united, lik soul and body Th body is th same lif as th soul and yet both may be spoken f as lying tsid ne an ther A soul witho body w uld n t be living t..i..g would body witho t soul. Hence t.. determinate existence f t.. co cept is .s bod whil ts body beys th soul which brought t into bein.. Th seed ha th tree implicit wit..in them and co tain th tree wh le strength alth ugh they are t yet th tree itself Th tree correspo ds in detail with th simpl cons ructi f the seed. If the body does t m tch th soul, it is poo sort f t...... Th unity f det rminate existenc and th concept, f body a.d so.l, is th Idea Th unity is t mere harm y but rather mplet inter penetration. N .hin.. is li e which is t in som wa the Idea. Th Idea f right is freed m and if it is to be truly understood, t must be known bo.h in ts co cept and in the determinate exis..ence f t..at ncept.

[i.e. wi h t.e inconsistencies in an ystem f pos tive la (see .g Hegel omments on fictions in Roman la in the Remarks to P ragraphs 3 and 8) as well as w th co tradictory judgements, see .g Re mark to *Paragraph*]

its arbitrary force so that the true reconciliation which discloses the state as the image and actuality of reason has become objective In the state self consciousness finds in an organic development the actuality of its substantive knowing and willing in religion it finds the feeling and the representation of this its own truth as an ideal essentiality while in philosophic science it finds the free comprehension and knowledge of this truth as one and the same in its mutually complementary manifestations i e in the state in nature and in the ideal world.

Brahma. In f ct in this uni ersality every difference has disappeared.

m th f rm f feeling—in friend hip and l e f
Here w re t inh tly ided w
— t an
as our
t feel
treats
ives t
l m lies
cy t is
neith in ind terminacy
Th will which restricts t

ppears m re co cret ly in
us
ch
nty
iod
ha
wills
l ws
ta
hem.
yed
mad
is an-
themsel es since an in tit tio
tagonistic t th abstract self-consci us ess f equal
it

yet in this de
rt nce m to th ni ersal.

6 *Par graph 6*
This seco d moment ppears as th m ment opposed t t first t is t be gra ped in ts ge eral character t is intrinsic t freed m alth gh t does not constitu th wh l f f eed m. Here th eg leaves undiff rentiated indeterminacy and proceeds t diff rentiate tself to posit co tent bject and so t gi tself determinacy My willin is t pure willing b t the willing f som thing A will which, lik that expounded in Paragraph 5 wills ly the bstract uni ersal, wills thing and is theref will t ll Th part cula voliti is restricti since th will, in rd t be will, must restrict t self in som ay th Th f ct that th will wills

8 *Par gr ph 8*
The nd rati f th will determinacy properly bel ngs t th U d rsta din and is in th first in ta ce t speculati Th will is d t rmined in tw senses. i.e in both tent and f rm Its determinacy in f rm is its purpose and th fulfilment f
meth ng

9 *Par gr ph*
Th will which is will nly in accordanc with its co cept is implicitly free b t t th sam tim t is also unfree f t w uld first becom truly f ee

ne sided as the will rooted in sheer determinacy

7 *Par gr ph 7*
What is pr perly called th will incl des in tself both th preceding m ment. Th eg as such is in the first place p re acti t the universal which is by self B this uni rsal determines tself and t that exten t no longer by tself b t posits tself as an t and ceases t be th uni ersal. N w th third m men is tha in ts restricti n, in this ther th will is b sel in determining itself it still mains by tself d does t cease to keep h ld f the r rsal. This m m t, then is the cret ncept f freedom, hil th tw pres s m me ts ha been found be thro h and through b ract and -sided

Freedom in this sense h wev w lready possess

[Here is the kin g f mind a view tha all de rm na ion eration and tha onl the indeterminate or the fi ite real]
[i.e the pure ex f P ragra h 5 I is alone nd actus because is the ren nciation f everything determina and i sim turned in upon itself.]

Par g ph
An animal too has impulses, desires inclinati ns, b t t has will and m st bey its impulse if th ing external deters it. Man howeve th wh lly un determined, stands abo e his impulses and may mak them his wn put them in himself as his wn. An

3 Pa agraph 2

Philosophy forms a circle It has a beg nn ng an immediate factor (for it must somehow make a start) something unproved which is not a result But the *term s a quo* of philosophy is simply relative ince it must appear in another terminus as a *terminus ad quem* Philosophy is a sequence which does not han in the air it is not something wh ch begins from nothing at all on the contrary it circles back into itself

4 Parag aph 4

The freedom of the will is best explained by a reference to the phys cal world Freedom I mean is just as fundamental a character of the will as weight is of bodies If we say matter i 'heavy we might mean that th s p edicate is only contingent but it is noth ng of the kind for nothing in matter is without weight Matter is rather weight itself Heaviness constitutes the body and is the body The same is the case with freedom and the will since the free entity is the will Will without freedom is an empty word wh le freedom is actual only as w ll as subject

The following po nts should be noted about the connexion between the will and thought M nd is in principle thinking and m n is dist nguished f om beast in virtue of thi king But it must not be imagined that man is h lf thought and h lf w ll and that he keeps thought in o e pocket and will in another for this would be a fool sh dea The d st c tion between thought and will is only that betv een the theoretical attitude and the p actical These however are surely not two faculties the v ill is rather a special way of th k ng thinking transl t g t elf into existence thinking as the urge to give itself existence

This dist ct on between thought and will may be de cribed as follows In thi ki g an object I m ke it into thought and deprive it of its sensuo s a pect I make it into someth g which is directly nd essentially m ne Since it is in thought that I am first by myself *I do not penetrate an object until I u derstand it* it then ceases t stand over ag inst me and I have taken from it the character of its own which it had in oppos tion to me Just as Adam sa d t Eve Thou art flesh f my flesh and bone of my bone so mind s ys 'Th s is m nd of my m nd

The ego is thought and s the un v al When I say I I *eo ip o* abandon all my particular characte istics my di posit n natural endowment kn wledge

attitude

The practical attitude on the other hand begins in thinking in the ego itself and it appears first as though oppo ed to thinking becau e I m an it ets up a sort of d remption In so far as I am p actical or act ve i e in so far as I do something I determine myself and to determine myself simply means to posit a d fference But these differences which I posit are still mine all the same the determinate vol tions are mine and the aims which I struggle to realize belong to me If I now let these determ nations a d differences go i e if I posit them in the so called external world they none the le s still remain mine They are what I have done what I have made they bear the trace of my mi d

Such is the distinction between the theoretical attitude and the practical but now the tie between them must be described The theoretical is essentiall contained in the practical we must decide aga n t the idea that the two are separate because we can t have a will without intelligence On the contrary the will contains the theoretical in itself The will deter

ject of its desire A man however can just as little be theoretical or think without a will because in *th nking he is of necess ty be ng active The content* of somethi g thought has the form of being but

both moments are present

5 Pa ag ph 5

In this element of the w ll is rooted my ab lity to free mys lf from verything abandon every aim ab*stract from everything M n al ne can sacrifice* ev

the Und rst ding conce ves it is one sided but a one s ded view always contains o e essent al factor and theref re is not to be dis rded But the Understanding is defective in e alt g a single o e sided *factor to be the sol and the s preme one*

In hist ry this form f freed m is a frequent phenomenon Amongst the Hind for instance th h ghest l fe is held to be pe sistence in the bare kn wledg of o e s imple identity with oneself fix ation in this empty sp ce f one s i r l fe as l ght remai s colourless in pure visi n nd the sacrifice

[See *Scie ce f Logic* i 79–90]
[Genes s 23]

ar l d body ght t b deq t t n th h t ts exist and all is t, is d m

wills freed m

7 P gr ph 2
Infinity has rightly bee epresented figurati ly as circle beca se straight lin goes and f er and d tes th p ly egat and false in fi t which nlik th tru infinite has t rn re t is

is

tself.

8 Par gr ph 26
reed t sub ecti d bjective

f th pure eg
N less varied are th ays in h ch we may take bjecti W may understand by it ev rything hich mak bject t urselves, wh th b-jecti e ct lities p re th ghts which bring befor minds. W lso includ d this cat g ry th immediacy f xist nc in which th end is be ealized eve if th end is ts lf wh ll singu lar and bject th less call it bjecti its ppearance B t th bject ill is also that in which truth lies, d thus G d will th thical ill is an bjecti Finally w may also call bjecti th will wh ch is entirely b-sorbed in ts bject as f exampl th will f th child hich is roo ed in trust and lacks subjecti freedom d h will f th sla which does t yet k ow itself as free and th t cco t is will less ill I this sense y will is bjective which cts under th guidance f an alie th ty and

has t y t compl ted its ndless ret rn int itself

b ten b t m ch h tog th d

f

l

C nseq tly y might ise h e in q wh w d t begin t th highest point i w th

gra p g th b tract cept tself is in is th shape in which th pt is mbodi d i, f us th ref re th sec dary thing nd th equ l if t w tself first in th t al w ld Th d el pment w re t dying is th t wh reby the b tract f rm reveal themsel es t s self-subsist t b t as false

P gr ph 33
I pe king f Right [R kt i jus] in this book w mea t mer ly wh t ge erally d rst od by th w rd am ly il law b t also m rality th cal lif and w ld hi t ry these bel g just as m ch t t p because th co pt b ings th hts tog ther i t tru system If th free will is t t remain bstract it must in th first pla

with as property th ph f f rmal and bstr ct ight. T this phere there also bel g p perty in its mediated f rm as co tra t, and right in its in

impulse is something natural but to put it into my ego depends on my will which thus cannot fall back on the plea that the impulse has its basis in nature

11 *Paragraph 13*

A will which resolves on nothing is no actual will a characterless man never reaches a decision The reason for indecision may also lie in a tenderness of feeling which knows that in willing something determinate it is engaging with finitude, imposing a barrier on itself and sacrificing the infinite; yet it will not renounce the totality after which it hankers However beautiful such a disposition may be it is nevertheless dead As Goethe says Whoever wills great achievement must be able to restrict himself Only by resolving can a man step into actuality however bitter to him his resolve may be Inertia lacks the will to abandon the inward brooding which allows it to retain everything as a possibility But possibility is still less than actuality The will which is sure of itself does not *eo ipso* lose itself in its determinate volition

12 *Paragraph 15*

Since it is possible for me to determine myself in this way or that or in other words since I can choose I possess the arbitrary will and to possess this is what is usually called freedom The choice which I have is grounded in the universality of the will in the fact that I can make this or that mine This thing that is mine is particular in content and therefore not adequate to me and so is separate from me it is only potentially mine while I am the potentiality of linking myself to it Choice therefore is grounded in the indeterminacy of the ego and the determinacy of a content Thus the will on account of this content is not free although it has an infinite aspect in virtue of its form No single content is adequate to it and in no single content is it really at grips with itself Arbitrariness implies that the content is made mine not by the nature of my will but by chance Thus I am dependent on this content and this is the contradiction lying in arbitrariness The man in the street thinks he is free if it is open to him to act as he pleases but his very arbitrariness implies that he is not free When I will what is rational then I am acting not as a particular individual but in accordance with the concepts of ethics in general In an ethical action what I vindicate is not myself but the thing But in doing a perverse action it is my singularity that I bring on to the centre of the stage The rational is the high road where everyone travels where no one has no mannerisms his figures themselves live and declare themselves But the worse the artist is, the more we see in his work the artist his singularity his arbitrariness If you stop at the consideration that having an arbitrary will a man can will this or that then of course his freedom consists in that ability But if you keep firmly in view that the content of his willing is a given one then he is determined thereby and in that respect at all events is free no longer

13 *Paragraph 17*

Impulses and inclinations are in the first instance a content of the will and reflection alone stands above them But these impulses begin to impel themselves they drive one another stir each other and all of them demand satisfaction Now if I neglect all the others and put myself in one of them by itself I find myself under a restriction which destroys me since just by so doing I have surrendered my universality which is a system of all impulses But it is just as little help to make a mere hierarchy of impulses—a device to which the Understanding usually resorts—since no criterion for so ordering them is available here and therefore the demand for such a hierarchy runs out in the tedium of generalities

14 *Paragraph 18*

The Christian doctrine that man is by nature evil is loftier than the other which takes him to be by nature good This doctrine is to be understood as follows in accordance with the philosophical exegesis of it As mind man is a free substance which is in the position of not allowing itself to be determined by natural impulse When man's condition is immediate and mentally undeveloped he is in a situation in which he ought not to be and from which he must free himself This is the meaning of the doctrine of original sin without which Christianity would not be the religion of freedom

15 *Paragraph 20*

In happiness thought has already a mastery over the natural force of impulses since the thinker is not content with the momentary but requires happiness in a whole This requirement is connected with education in that it is education which vindicates a universal In the ideal of happiness however there are two moments (i) a universal which is above all particularity but (ii) since the content of this universal is still only universal *pleasure* there appears here once again the singular the particular i e something finite and a return must therefore be made to impulse Since the content of happiness lies in everyone's subjectivity and feeling this universal end is for its part particular and consequently there is still not present in it any genuine unity of form and content.

16 *Paragraph 21*

Truth in philosophy means that concept and external reality correspond For example the body is the external reality while the soul is the concept but

[For Hegel's exegesis of this doctrine see Addition 9 , Paragraph 39 below and the Addition to Enc. § 24]

soul and body ght t b dequat t an th has t y t compl ted its endless ret rn into itself
There re corpse is till an existent but ts xist ence is tru exi ence th co cept has left t d for this reaso dead body p trefies. So will is truly wil ly when what t wills, ts co tent, is identical with itself when that is to say freed m wills freed m.

subsist b t in ch mains th soul which h lds erything t g th a d re tu tion ly thro gh

itself.

§ Par gr ph 26
It is usually pposed th t bjecti e and bjective

will is ...

C nseq ently y might raise h re th q why w d t begin t th highest point i w th th co cret ly true. Th answ is that t is p ecisel th truth in th f rm f es lt th t w are look n f and f this p rpose t is esse tial t tart by

f th pure eg
N less varied are th ways in which w may tak bjecti e. W may understand by t everything hich e mak an bject t urselves, wheth bjecti e ctualities pure thoughts hich w bring bef re ou minds. W also incl d der this cat g ry th immediacy f xist nce in which th d is to be realized even if th end is tself wh lly singu lar d subjecti w th less call t bjecti its ppearance B t th bjecti will is also that in which truth lies, and thus God ill th ethical will, is an bjective ne Finally w may also call bjective th will hich is entirely b sorbed in its bject, as f xampl th will f th child, which is rooted in trust and lacks subjecti e freedom and th will f th sla which does t yet know itself as free and that cc t is will less ill. In this sense any will is bjective which cts under the guidance f an alien th rity and

b t as false

P ragr ph 33
In peaking f Right [R ht jus] in this book, w mea t mer l wh t is ge rally d rstood by th w rd m ly ci il law b t also m rality ethical lif and w ld hist ry these bel ng just as m ch t t p because th co cept b ings th ghts together int tru ystem. If th free will is t t remain bstract, it must in th first place

with as propert th sph re f f rmal and bstra t right. T this sphere there also bel ng property in its mediated f rm as co tra t, and right in its in-

fringement as crime and punishment The freedom which we have here is what is called a person i e the subject who is free free indeed in his own eyes and who gives himself an embod ment in things

The sheer immediacy of external fact however is not an adequate embod ment of freedom and the negation of this immediacy is the sphere of morality I am now free not merely in this immediate thing but also after the immedi v h k
I e I am free
sphere the m
my purpose b
l shed as of n
here is the uni s ould n t m l
in
th
it
th
the

Moral ty and formal r ght are two abstract moments whose truth is ethical life alone Hence ethical l fe is the unity of the will in its concept with the w ll of the individual i e of th h

ι we see substantial unity disappearing along with ethical life proper the family falls asunder and its members relate them sel es to e ch h
only bor
stage—ci
the state is first present at the third stage the stage of ethical l fe and the stage of mind in wh ch the prodigious unification of self subs stent individuality with universal substant ality has been achieved. The right of the state therefore stands above the preced ng stages it is freedom in its most concrete shape and as such is subordinate to one th ng alone—the supreme absolute truth of the world mind.

21 Pa ag aph 34

When I say that the absolutely f ee will at the sta h

e i u v lop d Idea of the will But at the start the concept is ab tract which means that all its determinat ons ar contain d within it but still only contai ed within it they a e only impl cit and not yet developed to be to l
sel
wa
lty
sta
will wh e the good is the *univer al* even tho gh it is within myself Thus at that le el the w ll ha in it self the different factors of si gular ty and uni er

sal
be
fir
va
of
v

c acq ires the character of being something determ nate It is abstract id n tity which here constitutes determinacy the will therefore becomes a si gle will a person

22 Parag aph 35

The abstract will consciously self-contained is personality Man s chief glo y is to be a person a d yet in spite of that the bare abstraction person is somewhat contemptuous in its very expression P r son is essentially different from subject since subject is only the possib lity of personal ty every living th ng of an so
then is
personal
person is a n t of freedom aware of its sheer in dependence As *this* person I kno myself to be free in myself I can abstract from everyth ng since nothing confronts me sav pure personal ty and yet as *th s* person I am something wholly determi ate e.g. I am of a certain age a certain stature I occ py this space and so on through whatever other deta ls y u like Thus pe sonality is at once the subl me and the trivial
purely
limita
able t
which nou ng merely natural contains or could en du e

23 Pa agraph 37
S

L u i stricted sympathies It is uncultured people who insist m st on th ir rights whilen ble mi ds look on othe spects of th thi g Thus abstract right is n thing but a bare po ib l ty nd t l ast in contrast with the whole r ge of the s tuatio someth ng formal On that account t h e a right gives one a warrant but it is n t ab l tely neces sary that one should insi t on on s r ghts bec se that is o ly o e spect of the wh le itu tion That is to say poss bility is b ng which has the significance of al o not bei g

24 P agr ph 41

The ration le f property is to be f und not in the satisf ct on of needs but i th s persessi n f the p re subjectivity f personality In his pr perty a pe son xists fo th first t me as reason Ev n if my freedom is here realized first of ll in n xt rnal

t..ing and so falsely realized, everth less bstract perso..ality m ts mmediacy can have th em bodiment save charact rized by immediacy

5 P gr h 42
Since thing lacks subjectivity it is external not mere' t th subject b t t tself pace and tim are external in this way As se tient, I m myself external spatial d t mporal As rec ptive f se su us m u.u as, I recei e them from som thi which is ext rnal t tself An nimal can intuit b t th soul f an nimal has f ts bject t ts soul itse but som thi external.

6 Paragr h 44
All t..ings may becom man property because man is free will and conseq ently is bsol te whil what stands ver gain.t him lacks this quality Thus every has th right t mak his will th thing t make th t..ing his will, or in ther wo ds t d stroy th t..ing and tran.f rm t int his wn f t..e thing as externality has d in itself t is t infinit self relatio b t something external t itself A living t..ing too (an animal) is ext rnal to itself in this ay and is so far tself thing. Only t..e will is th infinite bsol t in co tra.t with everything th than tself whil that ther is its side nly relative. Thus "to ppropriate means t bot m nly t manifest th pre-eminence f my will ver th thing and t pro e that it is t bso-lute is t an end in self This is mad manifest when I nd w th thing with som purpose t di rectly wn. When th h ing thing becomes my property I give t it soul ther than th t had bef re I give to t m soul. Th free will, theref re is th idealism which does t tak things as they are to be bsolute, while realism pron unces them to be bsolu' even if they only exist in th f rm f fini d Even animal has gone bey d this real-ist philosoph si ce t devours things and so proves that they are no absol t ly self bsistent.

7 Par gr ph 46
I propert my will is th wil f perso but a perso is nit and so propert becomes th per so..a.. f this unitary will nce property is th means wh reby I p my will embodiment, prop-rt mus also h th haracter f being "this "mine This is th importan doctrin f th cessi f pri a propert Whi..e t stat may cancel privat wn rship in excepti nal cases, t is evertheless nl th tate that ca d this but fre quentl especially in da p property has been re in rod ced b th sta F example many sta es have dissol ed th m nasteries, and rightly f in the la resort no mm nit has so good to p perty as perso has.

8 Par gr ph 47
Anim ls re in posses .o f themselves thei soul in posses .o f hei. bod B t they ha ght et h because t..ey do t w l t

29 Par graph 49
Th equality which might be set p e.g in con nexi with th distrib ti f goods, w ld all th sam soo be destro ed gain because wealth d pends diligence. B t f project cann t be ex t t be executed. Of course men

afte th goods f thers, b this is wrong, ince right is that which remains indifferent t particularity

3 Par g ph 5
Th points mad so f have been mainly con-cerned with th p positi that personality m t be mbodied in property N w th f ct that th first perso to tak possessi f thing sh uld also be ts wner is an inf re ce from what has been said. Th first is th rightful wne h weve n t because h is th first b t because h is f ee will f t is nly by an th r' succeeding him that h becomes th first.

3 P gra h 52
A perso p ts his will int thing—that is just th co cept f p perty and th next step is th re aliz..ati on f this co cept. Th inner ct f will which min must also

3 Par gr ph 5
Fichte has raised th q estio whether th mat

subtlety because if I take possess on of a field and plough it it is not only the furrow that is my prop erty h t h

remain a *res nullius* nor does it remain its own prop erty Further even if the matter remains external to the form which I have g ven to the object the form is precisely a sign that I claim the thing as mine The thing therefo e does not remain external to my will or outs de what I have willed Hence there is nothing left to be taken into possession by someone else

33 *Parag aph 54*

These modes of takin possess on involve the ad vance from the category of singularity to that of uni versality It is only of a single thing that we can

thing as a whole is mine not simply the part which I can take into my pos ession physically

w th my body But here come the seco d point ex ternal objects e tend further th n I can gr sp The e fore whatever I hav in my g asp is l nked with

tool which no animal possesses—can itself be a means to gripping s mething ls If I am in pos ssion of something the intellect immediately draws the in fe ence that it is ot only the immedi te object in my g asp which is m e but al o what is co ected with it At this point po t ve law must enact its statutes since noth ng furthe on this top c can be deduced from the co cept

35 *Pa agr ph 56*

This form ng of an object may in pract ce ssume the most various gu ses In farm g land I impo e a form on it Where i o g c objects are co cerned the impos t o of a form is not l ys d rect Fo example if I bu ld a w dm ll I h e not imp ed a fo m on the air but I h ve formed om th g for utilizing the a r tho gh I am not o th t account at l berty to call the air mine ince I ha e not f rmed the air itself Further the pres rving of g me may be reg rded as a w y of fo ming game f r v e pre serve it with a vie to maintai g the spec es [The same is t ue of] the tami g of animal ly of c rse that is a m di ect v ay of f rm g them and it d pends on me to a g eater e tent

36 *P agraph 57*

To adhere t man s absol t freedom—o pect of the matter—is *eo ipso* to co demn sla ry Y t f

lies at the door not simply of enslavers or conquerors but of the slaves and the conquered themsel es

wrong has validity and so is necessarily in place

37 *Pa ag aph 58*

To take possession by markin a thin is of all

gn y A ockade for instance ignifies citizenship of a state though the colour h s no connection with the nation and rep esents not itself but the nat on By being able to g ve a mark to things and thereby to acqui e them man just shows his m stery over thi gs

impl es a st ll more universal rel tion to the th n because v hen it is used the thing in its particularity is not recognized but is negated by the user The thing is reduced to a means to the sati faction of my need When I and the thing meet an identity is es t blish d and therefore one or other must lose its

be destr yed wh le I prese ve myself This in ge er al te ms is the pre ogative and the p inc ple of the organ c

39 *P g apl 61*

The r lation of u e to property is the same as that of s bsta ce to acc dent inn t out force to its man festation J st as forc e i ts only in manifest ing itself o arabl la d is arabl l d only i bear ng crops Thus he who has the use of a ble la d is th o r of the wh le a d it is an empty al strac t to recog e still another pr perty in the ob ject its lf

40 *Pa ag aph 63*

The qualitative disapp rs be e in the form of the qu ntitative th t is to say v hen I speak of 'need I use a term der v hich the most various thi gs may be b ought they share it in common and so become commensurable The advance of th u ht

my p rpose T m k l d ml by f l g it does t ha g it cha t b t t se it g by pl ti g it doe]

[i.e th ti a d perm ent use f it—see P g ph 6]

here theref re is from thing' pecific qu lity t character which is indiff rent t q ality i.e quan tity A similar thing ccurs in m them tics. Th d fi ntion f circle an llipse and parabola eals difference B t, in p t f this th dis-

moment th is th unity of these tw taking pos sessi f the thing by ali ting t.

43 *Par gr ph 66*

It is in th t f th case that a sla e ha a bsol t right t free himself and that if any ha stit ted his ethical lif by hiring himself to hi e and m rder this is an absol t nullity d every has warra t t rep diate this co tract. Th sam is th case if I hi e my relig us feeling t wa d A m The ll l d my ct l being

44. *P g ph 6*

Th distincti h re explained is th t betwee sla and m d rn d mestic servant o da lab Th Athenian la e pe h ps had an easi occu

e

ran i his at

thing with t t th sam tim being th its val e. If family ca th sell pawn ts goods, t is t th wn f their al B t sin this f rm f property is t cordance with th co ept f property ch estricti ns wn rship (f dal t re testamentary trusts) re mostly in co rse f disappearing

4 *Par gr ph 64*

Presc pti ests th pres mpt th t I have ceased t egard th thi g as min If thing is to remain mine my ill must co tin in t and using it keepin, t saf sh ws this co ti ance Th t publi mem rials m y l se th ir l was freq ent ly sh n d ri g th R f rm ti in th case f fou dati ns d ments &c., f the Ma Th spi t f th ld faith f these f dati ns had fled, and conseque tly th y uld be seized as pri at property

4 *P rag ph 65*

Whil prescript is alienati th direct exp es f th ill t alienat ali nati proper is an expressio f my will f my will l nger to regard th thing as min Th h l matt may al so be so wed th t lien tio een t be tru mode f taking possessi T tak possessi f th thing directly th first m m t p perty Use is likewise ay f cq iring property Th thi d

[Prices re regul ted by rage price this i

P ul London, p 33]

45 *P ragr ph 7*

A singl perso I eed hardly say is som thin, subo dinat and as ch h m t dedicat hims lf t th thical wh l H if th st t laims lif th individ al m t surrend t, B t may m take his wn lif ? Suicid m y t first gla c be *regarded as an ct f co rage b t only* th false co rag f tail rs and erva t gi ls O gai t m b l ked *po* as m f rtun si e t is inw d distracti wh ch leads t t B t th f dam tal questi is H I *right* t tak my lif ? Th an wer will be that I, as *this* indi dual am t m s- t f my lif because lif as th mp h nsi sum f my ctivity is thing external t pers nal ty which ts lf is this immediat personalit Thus wh perso is said t have right his lif th w rds ar co tradicti beca se they mean that pers has right himself B t h has such right sin h d es t tand e himself and h can t pass j dg m t hims lf Wh Herc les destr yed himself by fire and when Brutus fell his w d this was th d ct f h gain t his personality B t as f an unq alifi d right t suicide, w must simply say th t ther is n ch thin, even f heroes.

46 *Par g ph 7*

In co t t I h ld p perty th trength f mm will th t is t say t is th int est f rea so th t th bjecti will sh uld bec m ersal d raise tself t this degree f ctualiz ti n. Th

[T k g posses is *p* cq isi on. t se l the f f th g particula ch racteri tics (see P ragr h 59) Al na is the sy thes f po ve nd is exa i tha ol es p rn the thi g l eeth i posi because it is nly thing completely m ne h h l ca so purn]

in contract my will still has the character this though it has it in community with another will The universal will however still appears here only in the form and guise of community

47 *Parag aph 75*

It has recently become very fashionable to regard the state as a contract of all with all Everyone makes a *contract with* the monarch o the argu ment runs and he again with his subjects This point of view a ises from thinking superficially of a mere un ty of different wills In contract however there are two identical wills who are both persons and wish to remain property owners Thus contract p ngs from a person s arbitr ry will an orig n w h ch marriage too has in common with contract *But the case is quite different with the state it does* not lie with an individual s arbitrary will to sepa rate himself from the state because we are already c tizens of the state by birth The rational end of man is life in the state and if there is no state there reason at once demands that one be founded Per mission to enter a state or leave it must be given by the state th s then is not a matter which depends on an indiv dual s a bitr ry will and therefore the state does not rest on contract for contract presup poses arbitrariness It is false to maintain that the foundation of the state is something at the option of all its members It is nearer the truth to say that it is absolutely necessary for every ind vidual to be a citizen The great dvance of the state in modern *times is that nowadays all the citizens have one and* the same end an absolute and permanent end it is no longer open to individuals as it was in the Mid dle Ages to make p ivate stipulations in co nexion with it

48 *Pa ag aph 76*

Contract implies two consenting parties and two things That is to s y in a cont act my purpose is both to acquire prope ty and to surrender it Con tract is real when the action of both parties is com plete i e when both surrender and both acquire property and w h n both remain property owners even in th act of su re d r Contract is formal w h re only one of the parties acq es property or surrenders it

49 *Pa agraph 78*

J st as in the th ory of p perty we had the dis tinction b tw een ow ne sh p a d poss sion betw n the substa ce of the matter and its p rely te n l side so here in c ntr ct we ha e the diff ce be t e n a c mmon will—c ve ant—and a pa t c lar w ll—performance It l es n the nature of c tract

50 *Pa ag aph 80*

In contract we drew the distinction between the covenant or stipulation (w h ch made the prope ty mine though it did not give me possess on) and per formance (which f rst gave me possession) W if I am already the out and out owner of the p op erty the object of the pledge is to put me s m ltane ously in possession of the valu of the propert and thereby to guarantee the covenant s performa ce at the very time the covenant is made Surety is a par ticular kind of pledge w hereby someone gi es his promi e or pledges his credit as a guara tee for an other s performance Here a person fulfils the func tion which is fulfilled by a mere thing in the case of a pledge proper

51 *Pa ag aph 81*

In contract we had the relation of two wills as a common will But this identical will is o ly relative ly universal posited as universal and so is st ll op posed to the pa ticular will In contract to be sure making a covenant entails the right to require its performance But this performance is depend nt again on the particular w ill which *qua* parti ular

start comes into vie d this negation is just what wron is In ge eral terms the course of e nts is that the will is freed from its immediacy a d thus there is evoked out of the common ll the particu lar ty w hich then comes on the scene as oppo ed to the common w ill In c ntract th part es till ret in the r p t cul r w lls contract therefore is not yet beyond the st ge of arb trariness with the re lt that it remains at the mercy of wro g

52 *Pa ag apl 82*

The principle f right e s the u ive al w ill re ceives ts ssential det rminat char cter th u h the particula ll and i in r l tio ith some thi g h ch is inessential Th s the el tio of es se ce t t ppeara Even if th appearance c r *r sponds ith the es ce t ll lo k d at f om a* other poi t of it fa ls t cor espo d ith it s ce appe ance is the st ge of c tingency e nce rel t d to the i sential In w g however ap pea a ce proceed t bec me a sh w A ho is a det rm te exi tenc inad q ate t the es ence the empty d j ction a l p it g of th es nce o

Ceylon the e is a tribe f trad rs who put dow th r property and wait quietly until others come to put theirs down opposite Here there is no differe ce be tween the dumb declaration of will and the perform ance of what is willed.

ence ce is ti t th right. I the case f fraud o th ther h d p ni.hbments come in beca se h re it is an in fringem t f right which is in q estn

57 *Par g ph 9*
W g in th f ll se se f th w rd is crim wh th re is espect th f r th principl f right ess f wh t eem right t m wh then both sides th bjectn and th s bjectn ar in fringed.

53 *Par graph 83*

ence ce putting t

8 *P graph 93*
O th tat has bee f d d there can n l ge be any h roes Th y m th seen ly m uncl ilized ditn ns Their aim is right ecessary and political and this they pursu as thei own ffai Th heroes wh f ded st tes introd ed — d griculture did ot d this as th ir

e

n

59 *Par gr ph 94*
Special tt t must be paid t this point t the differ between th right and th m ral. I morality e wh I m reflected int myself th re also duality because th g od is my aim and I ght t determin myself by feren t that Id Th good is mbodied in my decisi and I t aliz th g d in m self B t this mbodim t is p rely inward and th f can t b coerced Th law f th land th ref can t possibly wi.h t reach as f as man dispo ti beca se so far as his m al co ctn ns are co cerned, h exists f himself al and f rce in that co text is meaningless

hat is lackin in crim

54. *Par g ph 86*
Th re is pecifi ground f wh t is inh re tly right and th wro g which I h ld t b right I als defend som gro d th Th t f th fin t d p rticular is t ll w m f cidents

60 *P g ph 96*
H w any gi crim is t be punished cann t be settled by m re thinking po ti laws re ecessary B t with th d ance f ed cat p ni ns b t crim bec m less h rsh d to-day rim inal is t so se ly p nished as h was b d ed years It is t xactly crimes punishments wh ch ch g b t th relatn b tween them.

6 *P gr ph 97*
A crim alters something in som w y d th Y t this

55 *Par g ph 87*
At this seco d level f wro g d ing th particu

and this b ch nstit t fra d.

56 *P gr ph 89*
I th case f malici us wro g d civil suits t law puni.hment is imposed because in ch cases th wrongdoer has will d thing in pposi

thing egati so that ts p nishm t is nly ga ti f th egati n. Right in ts ct ality th an uls what infringes t and th rein displays ts valid

ity and proves it elf to be a necessary mediated reality

62 *Pa agraph 99*

Feuerbach ba es his theory of punishment on threat and thinks that if anyone commits a crime despite the threat punishment must follow because the criminal was aware of it beforehand But what about the justif cation of the threat? A threat pre

Coercion by psychological factors can co cern only differences of quantity and quality in crime not the nature of crime itself and therefore any legal codes that may be products of the doctrine that c ime is due to such coerc on lack their proper foundation

63 *P rag aph oo*

64 *Pa ag apl 101*

Retribution is the inner connexion and the iden tity of two conceptions wh ch are different in ap pearance and wh ch also exist in the wo ld as two disti ct and oppo d e ents Retribut on is infl cted on the criminal and so t h s the look of an alien d stiny not i t n cally his own Ne ertheless pun ishment as we ha e seen is o ly crime m de mani fe t i is the second h lf hich nece rily presup poses the first Prim facie the objection to retr bu t on is that it l oks like someth g immor l i e l ke revenge and that thus it may pass f someth g perso al Yet it is n t s methin p sonal but the concept itself which carries out ret ibution Ve ge ance is mine sa th the Lord as the B ble says And if som thing in th wo d pay calls up the idea of a part cular caprice f the subjective will it must be poi ted out that wh t is meant is o ly that the form which crime takes is turned round g inst it self The Eumenides sleep but crime aw k them and hence it is the very act of crime itself wh h vindicates itself—Now although requital ca ot simply be made specifically equal to the crime the case is otherwise i ith murder which is of nece ity liable to the death penalty the reason is that since life is the full compass of a man s existence the pun ishment here cannot simply con ist in a value for none is great enough but can consist only in taking away a second life

65 *P agraph 102*

In that condition of society when there are nei ther magistrates nor laws punishment always takes the form of revenge revenge remains defective inasmuch as it is the act of a subjective will and therefore does not correspond with its content Those who administer justice are persons but their will is the uni ersal will of the law and they intend to im port nto the punishment nothi g e cept what is im pl ed in the nature of the thi g The person ro ed, however vie s the wrong not as something quali a tively and quantitatively lim ted but only as wrong pure and s mple and in requ ti g the injury he may go too f r and this would lead to a new rong A mongst uncivilized peoples reve ge is deathless amongst the Arabs for i sta ce it can be checked only by superior force or by the impos ib l ty of its satisfacti A residue of revenge still lingers in com parat ely modern legislation in those cases where it is left to the option of individuals whether to pros ecute or not

66 *Pa ag aph 104*

Truth entails that the concept shall be an l that this existence shall correspond with the co cept In the sphere of right the will is exist nt in som thing e t al but the ne t req irement is that the will should be existent in something inward in itself It m st in its ow eyes be s bjectiv ty and ha e itself as its own object This relati n to its lf is the mo ment of aff rmation but it can attai it only by su persedi g its immed acy The immediacy sup rseded in crim le ds then through punishment i e th o gh the nullity of this null ty to aff rmation i e to mo ral ty

67 *Pa ag aph 106*

So f r as right i the strict sense w s c ncerned it w f no impo tance what my intention o my p inciple was This question about the self determi nation and mot ve of the will l ke the quest on about its p rpose now enters at this p int in conn xion i th moral ty Since man ishes to be judged in ac co danc with his own elf determined choices he is free in this rel t on to himself hat ver th extern l situ ti m y impose upon him No one ca break in up th r con iction of m nkind no vio le ca be d to it a d the moral vill th refore i i ccess bl Man worth i estimated by refer ence t h i ward cti n and h ce the sta dpoint of mo l ty is that of fre dom aw e f itself

68 *Pa ag ph 7*

This e t categ ry of the ubj ct ity of the will is once ag in a wh l which as subjectivity must

[P J A Fe b ch (775 1833) See h *Leh b h d s g m p l hen Recht* (8 1) (Messneo)]
[Romans 12 9]

also ha bjectiv t It is in a subject th t freed m can first be realized, since th bjecti is th tru ma rial f this realizati B t this mb diment f the will whi h w ha called subjectivity is differ ent f m th will which has d el ped all ts potenti a es t ctuality That is t say th will must free itself from this seco d e- ded ess f p re subjec tivity in rd t becom th f lly ct alized will. In m rality t is man pri t int re t th t mes in q esti d th high w rth f this int est consists precisely in th f t th t ma kn ws him self as bsol t and is self-d t rmined Th ed cated man all ws himself t be trained in every thing by brut f rce d nat ral f ct rs childre ha m ral ill but lea ther pare ts t decid things f them Th ed cated man h wev devel ps inn hf d wills that h himself shall b in everything h does

69 *Par graph 08*

In m rality self-det rminati is to be th ght f as th p restless ess and ti ty wh ch ca ever m t an thin that is It is i th ph re a ra f h t th will is f th first tim d ti th co t ry its bj ctificati n impl es t the sam tim th ca cellati f th singl will and there f re in dditi) t because th ch racter f e sidedness vanishes th positing f tw wills and a positi e bearing f each th ther So f as rights are co cerned, t m kes difference wheth som o else will m y d som thing in rel ti t min wh I give my will embodim t p perty I m rality how e th w lfar of th rs too is in q esti d this pos ti e bearing cann t com th sce bef re this point.

P gr ph 14

If ti is t be m ral, it must in the first place respo d w th my purpose in the m ral will has th right t refuse t recognize in th re lt ing tat f ff rs wh t wa t p ese t wa dly as purpose Purpose rns nly th f rm l pri cipl th t th t rnal will sh ll be within m as som thing inw d. O th oth hand in th sec d m ment f th m ral ph re q esti may be asked bo t th int ti b hind th cti e b t th relat w rth f th cti in lati t Th h rd and last m m t is t th relati

th m ral phere becomes an is nly in h bjec

73 *Par g ph 5*

I am chargeabl with what lay in my purpose and this th m t importa t point in co exi w th nl the q t ex d I m t m

7 *Par g ph*

m ral will has

gain

7 *P gr ph*

I dealing th f rmal right I said [see Paragraph 38] h t t tained p hib ti nly that

something ecessary in p rely ext rnal way ts path d mi may meet di erge rth less I am thing except in relati t my freed m and my will is responsibl f th deed nl in so f as I know what I am d ing Oedipus, wh killed his f ther with t kn wing t, cann t b ccused f parricide Th ncie t penal codes, h w ve t

tached less weight to the subjective side of action to imputab lity than we do nowadays That is why sanctuaries were instituted in anc ent times for har bouring and protecting the fugitive from vengeance

15 Paragraph 118

The transition to intention depends on the fact that I accept respons bility only for what my idea of the situation was That is to say the e can be im puted to me only what I knew of the circumstances O

co sequences in such a case represent the universal implicit with n that state of affairs Of course I can not foresee the consequences—they might be pre ventable—but I must be aware of the unive sal char acte of my isolated act The important poi t here is not the isolated thing but the whole and that de pends not on the d fferentia of the particular action but on its un versal nature Now the transition f om pu pose to intention l es in the fact that I ought to be a vare not simply of my single action but also of the univer al wh ch is conjoined with it The uni versal wh ch comes on the scene here in this way is what I have w lled my intention

76 Pa agraph 119

It h ppe s of course that circumstances may make an act on m sca ry to a greater o l sser degree In a case of arson for instance the fi e m y not catch or alternatively it may take hold fu ther than the in cendiary intended In sp te of th s ho ever we must not make this a d stinction between good and bad luck since in acting a man must lay h s ccount with exter ality The old proverb is cor ct A flung stone is the devil s To act is to pose o eself to b d l ck Thus b d luck has a right over me and is an embod ment of my own willing

77 Pa agraph 121

In my own eyes reflected nto mys lf I am a par t cular in correlation with the externality of my ac tion My end constitutes the content of the act on the content determin nt of the action Murder and a son fo e mpl re univ s l and s e not the positive content of my action *qua* the action of a s bject If one of these crimes has been comm tted its perpetr t r m y b sked hy h comm tt d it The murder was n t d for the sake of murde ing th murderer had in view some particular posi ti e end But if we w re to say that h mu de d for the me e pleasure of mu deri g then the purely pos t ve ontent of the subject ould surely be pleasure

Nowadays we insist on looking into men s hearts and so we presuppose a gulf between the objecti ity

of his desire the gratif cation of his passion None the less the good and the right are also a content of action a content not purely natu al but put there by my rationality To make my freedom the content of what I will i a plain goal of my fre dom itself Therefore it is to take higher mor l grou d to fi d satisfaction *in* the action and to advance beyond the gulf between the self consciousness of a man and the

h story and in individual biography

78 Pa agraph 123

Since the specif cations of h pp ess are *given* they are not true spec fications of freedom because freedom is not ge u ely f ee in its o n eyes except in the good i e e cept when it is its own end Con sequently we may raise the question whether a man has the right to set before h m elf ends not freely chosen but resting solely on the fact that the s b ject is a living being The fact that man is l ing being however is not fortuitous but in conformity v ith reason d to that extent he has a right to make his needs h s end There is noth g degrading in be g alive and the e is no mode of i telligent be ing h gher than life in wh ch existence would be poss ble It is only the raising of the give to some thing self created which yields the highe orbit of the good although this distinction implies no incom patibil ty between the t vo levels

79 Pa graph 124

In m gnis vol ss s t est is right in the sense that we ought to will someth ng great But we m st also be ble to ach eve it otherwise the will ng is nugatory The laurels of m re will ng are dry leaves that never ere green

80 Parag aph 126

The famous answer *Je n en vo s pas la nécessi é* given to th lampooner who excused himself w th the w ds *Il faut do c q e j t ve* is app site at this p int Life c s s to be necessary i face of the h gh realm of freedom When St Crispin stol leather t m k sh es for th poor his action was moral but wrong d so inadmissible

81 Pa ag aph 127

Life as the sum f ends has a right ag inst ab stract right If f r example it is o ly by steal b e d that the wolf can b kept fr m the d or the acti ls of c rse an cr chm t n som o e s property but it wo ld be wro g to t t this ct o as an ordin ry th ft To r fu to llow a man in

[I g eat thi gs t h willed i gh (Pro pe ti II 6)]
[By Rich l (B lla d)]

1f ese d t inh rnt ternal lif Good as a universal is b stract d cann t be cc mplished so l ng as t re mains bstract. T be ccomplished t must equire in dditi th charact f particularity

t

f

d

se

l

e

m

g

ra

l right.

82 *Paragr ph 29*

Every stage is really th Idea b t th earlier stages contain t nly in rather an bstract f rm Thus f exampl eve th eg as personality is alread th Idea th ugh in ts most bstract sh pe. The good, theref re is th Idea further d termined, th unity f th cept f th ill with the particu lar ill. It is t som thing bstractly right, b t something co cret whose co tents are made up f both right and welfare alike.

83. *Par gr k 3*

Th good is th truth f th particular will, but th ill is nl that int which t p ts tself t is t good by nat re b t can becom what t is nly by its wn labour On th ther hand, th good it self part f m th subjective will, is nly an b- stracti with t that real exist ce which t is t acquire f th first tim thro gh the ff rts f that ill. Accordingl th dev l pment f th good has three ta es ( ) Th good sh ld prese t tself t m volition as particular will and I should know it. ( ) I sh ld m self sa wha is g od and h uld dev lop ts particular specificati ns. (iii) Finally th specificati f th good ts wn ccount the particulariza f th good as infinit bjecti ty ware f self This inward specifying f what good is, is nscience.

84. *Par gr ph 33*

From my point f view th essence f th will is d ty w if m kn wledg st ps t th f ct that the good is m d y I m still going further than th bstract haracter f duty I sh uld d m duty f d t sak nd wh I do my d ty t is in tru sense my wn bjecti y hich I am bringing t realizatio In doing my d ty I am by m self nd free T ha e emphasized this meaning f d ty has co stit ed th m nt f Kant m ral philosophy and ts loftiness f tlook.

85 *Par gr ph 34.*

This is th same question as was put t Jesus when someone wished to learn from him what h should

dicti either

87 *Par gr ph 36*

W may speak in very l fty strain bout d t and talk f th kind is plifting and broadens h

— h ne

consci ce man is l g shackled y th aims f particularity and consequently in ttaining th t po ti h has risen t high gr und, th gro d f th mod rn w rl which f th first tim has ched this consci u ness, eached this sinking int neself Th m re sensu us consci usness of earlie pochs had som thing ext rnal and gi en f ting t either religi law B t conscience kn ws t. lf as thinking and kn w th t wh t al has bligat ry f rce f m is this that I think.

88 *Par gr ph 37*

When w speak f consci ce, t may easily be

89 *Par gr ph 38*

If w look m re closely t this process f evapora ti and see h w ll specifi d t rminati ns disap- pear int this simple co cept and then h ve t be

[Luk 5]

[F the distinctio between sense-consciousness nd more hi hly dev loped ypes f consci usness see Remarks Paragrap s and 35.]

condensed out of it again what we find is that it is primarily due to the fact that everything recognized as right and duty may be proved by discursive th nk ing to be nugatory restricted and in all respects not absolute On the other hand just as subjectivity evaporates every content into itself so it may de velop it out of itself once more Everything which arises in the ethical sphere is produced by this activ ity of mind The moral point of view however is de fective because it is purely abstract When I am aware of my freedom as the *substance* of my being I am inactive and do nothing But if I proceed to act and look for principles on which to act I grope for some thing determinate and then demand its deduction from the concept of the free will While therefore it is right enough to evaporate r ght and duty into subjectivity it is wrong if this abstract groundwork is not then condensed out again It is only in times when the world of actual ty is hollow spiritless and unstable that an indiv dual may be allowed to take refuge from actuality in his inner life Socrates lived at the time of the ruin of the Athenian democracy His thought vaporized the world around him and he withdrew into h mself to search there for the right and the go d Even in our day there are cases when reverence for the established order is more or less lacking man in sts on havi g the authoritative as his *will* as that to h ch he has granted recognition

90 *Paragraph 139*

The abstract self certainty which knows itself as the basis of everything has in it the potential ty ei ther of willing the universal ty of the concept or al ternatively of taking a particular content as a princi ple and r aliz ng that The second alternative is evil which therefore always includes the abstraction of self certa nty It s o ly m n who is good nd he is g od only becau e he can al o be evil Good and evil are inseparable and their i sepa abil ty is root d in the fact that the concept becomes a bj ct to it If and as object it *eo pso* cqu res the character of dif ference Th evil will w ll something opposed to the universality of the v ill v hile the good will acts in acco dance v ith its true concept

The d ff culty of the question as to how the will can be evil as well s good usually arises because e think of the w ll as related to its lf pu ely pos ti ely and b cause we r p ese t its volition as something d termi ate conf onti g t s the good But the problem of the or n of evil m y be more p ecisely put in the form How does the negative come i to the po it ve? If we beg n by pre uppos g that in covered in one another there is only a representa t on of their success on and juxtaposition so that it is from outside that the negative comes to the positive But this cannot satisfy thought which de mands a reason and a necessity and insists on appre hending the negative as itself rooted in the positi e Now the solution of the problem the way the con cept treats the matter is already contained in the concept since the concept or to speak more con cretely the Idea has it in its essence to differentiate itself and to posit itself negatively If we adhere to the purely positive i e if v e rest in the unmixed good which is supposed to be good at its source then we are accepting an empty category of the Und r standing which cl ngs to abstractions and o e sided categories of this kind and by the very asking of this question makes it a diff cult one If we begin with the standpoint of the concept however we appre hend the positive as activity and as self dist nction Ev l and good alike have the r orig n in the will and the will in its concept is both good and e il

The natural will is implicitly the contradiction of self distinction of be g both inwardness and also self awareness To maintain then that evil impl es the further point that man is evil in so far as his will is natural would be to cont adict the usual idea that it is just the natur l will wh ch is guiltless and good But the natural will sta ds in opposition to the con tent of freedom and the ch ld and the u educated man whose w lls are only n t ral are for that very reason liable to be called to account for their acti ns only in a less degree Now when we speak of man we mean not the child but the self conscious adult a d when we speak of good we mean the knowl edge f t It is doubtless true th t the natural is in herently innocent ne ther g d nor b d but when it is d awn into the orb t of the will which is free and knows that it is free it acqui es the ch racter of not be g f ee a d is therefore e il When m n *wills* the natural it is no lo ger merely n tural but the n g t ve opposed to the good i e to the c ncept of the will

On the other hand if it is now objected that since evil is root d in the concept and i evitable man w uld be gu ltl ss if he comm tted it our reply m t be that a man s decis n is his own act and his own ct is f ee y chosen and h s o n respo s b'lity In the r ligi leg nd it is d th t man is as God wh n h k ows g d d e l a d it is t ue that th s l k ess t God i pr nt in such knov l d e in that th i v tabil ty h re is n n t ral in vit b lity since on th co tra y the d cision i ally the tran sc ndence of this d lity f g od nd e il When b th good a d ev l e pl ced b f me I ha e a cho c bet ee th ti I can d de bet een them and e dow my subj cti ch r ter with either Thus the nat of evil is th t man may w ll it but need n t

[R d g *d s Wollen l B st mmt s* with Lasso]

[i both u rsal i r p i iple d lso aw re nes f self p ti l pposed t the l rsal]

[Ge esi 3 5 i.e it d i g what had bee f r b dd]

91 *Paragr ph 140*

Rep ese tati th king may g f rth and per vert th evil will t sh w f g dness Alth gh it cann t lte th n t f ev l t can in est t ith sh w f g dness S ce very ti has positi aspect and si th categ ry of good as opposed t evil is lik wise d ced t po tivity I ~ t m ti in ts be n g o my in t

is no l g q est f someo else statement th rity t is q esti ly f th bject himself f his wn vi ti n—a con ti n which al bl t mak thing good. Th d fect h is th t rything is s ppo ed t fall w thin th h t f ti n al d that th bsolut ly h ld be nly th

This doctrin ca nly rise h th m al good re d t rmined by th rity w th th res lt that th as m y as as th th ties i suppo ing th t vil is g d. Ca uist th

mad bjec ta

b t l t this p incipl f th m p rt cular th sense f "p rt cul self hood wa d ified by F drich Schl gel w th ref t th g d and th b tiful A res lt h m d bjecti g dness nly im g f my victi ecei g ppo t f m my ff rts al and d pe d t f its ppeara d disapp ara m as ts l d and mast lf I l t mys lf t som thing bj c ti t anishes t th sam m m t bef re my y d so l h p t f thing ss m m ni g h pes from th d pths d nihilatin th m This p em type f bjectivism ca m rge ly in period l d d cult wh faith has t ts se us ss and its es ce is simply all is nity

9 *P gr ph 4*

Each f th tw pri ciples hith rt discuss d nam ly g d in th b tr t d nscien e, is d f ti in lacki g ts ppo t G d in th b t t porates into som thin mpl t ly powe less in t which I may t od ce y and ev ry tent wh l th subjecti ty f mind b comes just as w rthless beca se t lacks y bjecti significa Thus l ging may ise f bjecti o der in hi h ma gladly degrad himself t servit d d t tal bjecti if nly t cap th t rm t f culty and egati M y Pr testa ts h re ently g t th R ma Cath l Ch h d they h e d ne so beca se th y f d their inner lif w rthless d gra ped t som thing fixed

[F t rthe mme Ficht sews with ref rences see *E H y f Ph phy* 48 ff]

jective side Ethical life is more than the subjective form and the self determ nation of the will in addition it has as its content the concept of the will namely freedom The right and the moral cannot exist independently they must have the ethical as their

Only the infinite the Idea is actual Right e ists only as a branch of a whole o like the ivy which tw es itself round a tree firmly rooted on its own account

93 *Paragraph 144*

Throughout ethical life the objective and subjective mom nts are alike present but both of them

s y that n it we a e ethical unselfconsciously In th s sense Antigon proclaims that no one knows whence the laws come they are everlasting i e their dete minate character is absolute and has its source in the nature of the thing None the less however the substance of ethical l fe has a consc ous ness also though the status of this conscious ess is never higher than that of bein one moment

94 *P ag pl 145*

Since the laws and institut ns of the ethical order make up the conc pt of freed m they a e the subst ce or un v sal essenc of individuals who are thus related to them as accid nts only Whether the ind vid l exist or not is all on to the objective ethical order It alone is permanent a d is the power regulating the life of individuals Thus the eth c l der has bee presented by mankind as eternal ju t ce as gods ab olut ly existent in contrast with which the mpty business of individuals i o ly a game of see saw

95 *Parag aph 149*

Duty is a restriction only on th self ill of subject nty It st nds th y o ly of that abstr ct good to which subjecti ty adheres Whe s y We want to be free the pr mary mean g f the words i simply We wa t ab tr ct f d m and every instit tion and every org n of the state passes as a restr ction n freedom of that kind Thus duty is not a restriction on f e dom but only on freedom in the abstract i e on unf dom D ty is the attainment of our esse ce the w n g of *positive* freedom

[Th s m sq otat of Sophocles *A t g* ll 45 7 m y be d t th t se be l H g l lect be cause th l es q oted rectly th Rema k t Pa graph 166]

96 *Pa agraph 150*

To conform to the ethical order on this or that particular occasion is hardly enough to make a man virtuous he is virtuous only when this mode of behaviour is a fixed element in his character Virt e is rather like ethical virtuosity and the reason hy we peak of virtue less nowadays than formerly is that ethical living is less like the form of a p ticu lar individual s character The French are *pa excellence* the people who speak most of virtue and the reason is that amongst them ethical life in the individual is more a matter of his own idiosyncrasies or a natural mode of conduct The Germans on the other hand are more thoughtful and amongst th m the same content acquires the form of universality

97 *Paragraph 151*

Just as nature has its laws and as animals, trees, and the sun fulfil their law so custom (*S tte*) is the law appropriate to free mind Right and moral ty are not yet what ethics (*S tte*) is n mely mind In right particularity is still not the particularity of the concept but only that of the natural will So too at the standpoint of morality self consciousness is not yet *m d s* consc ousness of itself At that lev l it is only the worth of the subject i h mself that is in question i e the subject who determin s h mself by reference to good in contrast with e l who still has self will as the form of h s willing Here however at the standpoint of ethics the will is mind s will and it has a content which is sub tan tive and in conf rmity with itself

Education is the art of making men ethical. It begins w th pupils whose l fe is at the i stinctive le el and shows them the way to a second birth the way to change the r i stinctive nature into a seco d intellectual nature a d makes this i tellect al l el habitual to them At th s po t the clash between the natu al and the subjective will d sappears, the subject s internal struggle d es away To th s extent h bit is part f ethical life as it is of ph losoph c th ght also si c such thought dem nds that mind be tra ed against capr cious fancies and that these be destroyed and v c me t leave the way clear for rational th ki g It is true that a man is killed by habit i e f he has onc c me t feel c mplet ly at h m in life if he h s become ment lly and physically d ll a d if th cla h bet een subject ve c n scious ess and ment l activity h s disappe red for m s ct e only so far as he has not atta ned his end and wills t de l p his potent lities and v nd cate hims lf st uggling to attain it When this has been fully ch eved ctivity and vit lity are at an end and the esult—l ss of i t rest in life—

[H oes (th cal l tu i) l ed l cl l zed

so]

is mental physical death.

98 Paragr ph 53
Th educational experiments, dvocated by R us- sea in Emile f withdrawin childre from th comm lif f every day and bringing them p h f til since n

f those o tij ing e
f good state that th individual first comes into his right.

99 Par gr ph 255
A slave can have d ties nly f ee ma has them. If all rights were put sid and all d ties on th ther th wh l w uld be dissol ed, since their id tity alo is th fundamental thing and it is to this that w ha h re t h ld fast.

100 Paragr ph 56
Ethical lif is t bstract lik th good b t is intensely ctual. Mind has act ality and indi duals are accidents f this ctuality Thus in dealing with thical life, only tw vi ws ar possibl eith w start from th substantiality f th ethical rder
le we proceed t m tically and build n th basis f sin le indi duals This seco d point f ew ex d des mind because it leads nly t juxtapositi n. Mind, h w ve is t som thin single, b t is th unity f th singl and th ni ersal.

Par gr ph 58
Lo means in gen ral t rms th consci us ess f my unity with an th so that I am t in selfish isolatio b t win m self-consci usness nl as th ren nciati f my indepe d ce and thro h kn w ing myself as th nit f myself th an th and f th th th me. Lo e h wever is feelin i.e. ethical lif in th f rm f som thing natural. In th sta feeling disappears th re w re consci us f unity as law there th co ent mu t be rati nal and kn t us. Th first m m t in lo is that I do
ish t be self subsistent d independent pe so and that if I w re the I w uld feel d fecti e nd in ompl te Th sec d m ment is that I find
l co f som thin

Par gr ph 59
Th right f th family p perly consists in the fact that s substantiality sh uld have de erminat

exi t ce Thus it is right gainst ext rnality and gain t secessions from th family unity On th oth er hand t repeat l e is feeling something sub- jective gainst wh ch unity cann t mak itself ef fecti e Th d mand f unity can be sustained then nly in relati n t ch things as are by nat e ex ternal and t co diti ed by feelin

03 Par gr ph 16
Marriag is in essence an thical ti F rm rly es- pecially in m t sy t ms f nat ral law tt tion h physical id f marria t

y

fickl and purely subjecti aspects

t be th t ma must wait until his h as d that h can best w his l e nly pecia indi dual.

5 Par gr ph 63
Th distin ti bet een marria and co cubinag is that th latt is chi fly matt f satisfyin nat ural desire whil this satisf cti is mad secondary in th f rm It is f this reason that physical ex perien es may be menti ed in married lif with t blush alth gh tsid th marriage tie their m ti w uld p od ce sense f sham B t t is this cc unt too th t marria must be rega ded as m principl indissol ble f th end f marria is th eth cal end, an d so l fty that rything else is manifestly powe less gainst t and made subject t t. M rria is t t be dissol ed because f pas- si since passi is bo dinat t t. B t t is not indissol bl cept in principl since as Christ says,

only for the hardness of your heart is divorce established Since marriage has feeling for one of its moments it is not absolute but weak and potentially dissoluble Legislators however must make its dissolution as difficult as possible and uphold the right of the ethical order against caprice

106 *Pa ag aph 164*

Friedrich von Schlegel in his *Lucinde* and a follower of his in the *Briefe eines Ungena nten* have put forward the view that the wedding ceremony is superfluous and a formality which might be discarded Their reason is that love is so they say the substance of marriage and that the celebration therefore detracts from its worth Surrender to sensual impulse is here represented as necessary to prove the freedom and inwardness of love—an argument not unknown to seducers

It must be noticed in connexion with sex relations that a girl in surrendering her body loses her honour With a man however the case is otherwise because he has a field for ethical activity outside the family A girl is dest ned in essence for the marriage tie and for that only it is therefore demanded of her that her love shall take the form of marriage and that the *different moments in love shall attain their true rational relation to each other*

107 *Parag aph 166*

have happy ideas taste and elegance but they cannot attain to the ideal The difference between men

ernment the state is at once in jeopardy because women regulate their actio s not by the demands of u versal ty but by arbitrary i cl nations and opinions *Women are educated—who knows how?—as* it were by breath ng in ideas by l ving rathe than by acqu ring knowledge The status of m nhood on the other h nd is attai ed only by the stress of thought and much techn cal exert on

108 *Paragraph 168*

A sense of sh me—to go no farther—is a bar to

when animals of the same stock a e m ieu si e

M k o s]

and whateve t ds thither (S c / Lu 63 foot te)]

there is to be unification there must first be division

should come about for the first time with n it And their development has all the more value the richer it is and the more facets it has.

109 *Paragraph 172*

type of marriage stood in a closer relation to her

the family to be reckoned members and for the clan as a whole to count as the important thing while the newly founded family disappeared in comparison Nevertheless each new family is the essential th ng in contrast with the more remote connexions of clan kinship and parents and children *form the nucleus proper as opposed to the* clan which is also in certain sense called a family Hence an indi idual s relation to his wealth must have a more essential connexion with his marriage than with the w der circle of his kin

tivity Such an objectivity parents first acquire in *their children in whom they can see objectified the* entirety of their union In the child a mother lo es its father and he its mother Both have the r love objectified for them in the ch ld While in their goods their u ity is embodied o ly in an external thing in their children it is embod ed in a spiritual o e in which the parents are loved and which they love

111 *Pa ag ph 174*

Ma has to acq e for himself the position which i of

a e fed from central stores a d not regard d as self s bsistent and adult The services which may b demanded from child n should th ref e have education as their ole e d and be relevant thereto they *mu t n t be nds in themselves ince a child in slav*

not on reasons a d rep esentati thi ki g Il we

d ance reasons t children w k ve t open t them to decide wh th th reasons ar w ighty n t and thus we mak everything depend the whim So f as children are co cerned, universality and th substance f things resid in th ir par ts and this implies that childr must be bedi t If th feeling f bordinati prod cing th l ing t grow p is t f ter d in children they becom f rwa d and impertin t.

1 *Par g ph 75*
As child man must h h ed w th his p re ts d tru t and rati nality

3 *P g ph 6*
It is because marriag d pe ds tirely f eling som thi g bjecti and ting t th t it may be dissol d Th tate th th h d is t b- ject t p rit becaus t ests law T be re marriag ght t b indissol bl b t h ain w ha t t p t this ght y t si m rriag is ethical instit ti t cann t b dissol ed t will b t ly by an thical th rity wh th th church th law rt If th p rt es re mpl t ly es tra ged g ing t dult ry then th ec clesia tical th rity must permit di rc

4 *Par g ph 8*
I ea li times R man f ther had th right t disinh rit hi childr d e kill them Later h lost both these rights. Att mpts w re m d t f rg

f the Germa law f inh ta T be ur th ht t mak ill must be ceded b t in co cedi g t point f vi w must be that this ght f ee ch ce rises m gnifi d w th th di pe sio d es ra g m t f th m mb rs f th fam ly F rther th so call d f mil f frie ds which estam tary dispo ti bri gs th t m y be d m t ed ly in d fect f m mb rs f th family p p- e f pouse and childr T make ill t all tails som thing b xi d disagreeabl be cause *making t I re eal th names f my f* ites F h wev is b trary t may be gained rreptiti usly by van ty f xpedi ts, it may d pend ll sorts f fooli h reasons d as co di tio f ha ing his nam incl ded will ben fi iary may be equi ed t bject himself t th most bject servilities. I E gland, th h m f ll sorts of ecce tricity th re is no end to th folly and whimsicality of bequests.

15 *P g ph 8*
Th starti g point f th uni ersal h re is the self bsist f th p rticula d th thical o h f t be lost t this po t ince it

6 *P g ph 8*
C il soci ty is th [stag f] diff en which in h f m d the stat if its

syncrasy ev ry tale t ery ccid t f birth and f rtun d wh wa es f ery passi gu h f rth egulated nly by aso ghting thr gh them P ticularity estri ted by un sality is th nly tand rd wh by each particula m mbe p motes his welfare

7 *P g ph 84*
H re th cal lif is plit int ts extremes and lost

are still reciprocally bound together and conditioned While each of them seems to do just the opposite to the other and supposes that it can exist only by k ep-ing the other at arm s length none the less each still cond tions the other Thus for example most peo ple regard the paying of taxes as injurious to their particular interest as something inimical and ob structive of their own ends Yet however true this seem s particular ends cannot be atta ned without the help of the universal and a country where no taxes were paid could not be singled out as in ng its cit —

I not ier and exist only for and by means of one another If I further my ends I further the ends of the universal and this in turn furthers my end

118 *Paragraph 185*

P

s t o to the false infinite At the other end of the scale ho vever want and de ti tution are measurele s too and the d scord of this situation can be brought into a harmony only by the state which has powers over it Pl clude particulari since help on th nite right of the u t allow freedom to the part c ular It was in the Ch istian rel g on in the first place that the right of subject vity ar se together with the inf nity of self awareness and while g ant ng this right the whole o der must at the same time retain strength enough to put particularity in harm ny with the unity of ethical life

119 *P r g aph 187*

By educated men we may pr ma facie understand tho e who without the btrus on of person l id o syncr sy can do what oth rs do It is pr c sely this idiosyn r sy however wh ch uneducated m n dis play s nce th i behaviour is not go n d by the universal ch racterist cs of the situat n S milarly an uned cat d m n is apt to hurt the f el ng of his n ghb urs H —

u u gin l ty whi h pr duces th r al thing d mands g nuine duc t on while basta d origi l ty adopts eccentr cit es which only enter the heads of the un ducated.

120 *Pa g aph 189*

The e a e certain universal needs such as f od drink clothi g &c. and it d pends ent rely n ac cidental circumstances how these — —

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i

e
tl t economy a science which is a credit to thought because it finds laws for a mass of accidents It is an interesting spectacle here to see all chains of activity leading back to the s me point part cular pheres of action fall into groups influ ence others and are help d h
T
t
le
tc
ar
pl e, e o y ir egular movements though its laws may none the less be ascertained.

121 *Pa ag aph 190*

An an mal is restricted to part cularity It has its instincts and means of satisfying them me ns which are limited and which it cannot overst p Some in sects are paras tic on a c rtain kind of plant some animals have a wider range and can l ve in differ t cl mates but there is lways a restr cti n prev nting th m from having the range open to man The need of shelter and clothing the necessity of co king his f od to m ke t f t to eat and to e com i

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r
u o crite ia of judgem nt even the needs them el es a e ff cted tl ereby F nally it is no longe need but op n on which has t be sat fed, and it is ju t the edu ated m n who ıl th

I
t
i. t it alt g ther is not s imperious

12 *P g aph 9*

What the Engl sh c ll c mf rt is something in e hau t ble a d ill m t bl (Othe s c n disc er to you th t hat you t ke to be l mf

123 *P g ph 92*

Th f ct th t I m t di ect my co d t h refer en —
ity
i f
At I am c mp ll d to pro duce means for th sati f ctio f the We playi to e ch othe s hands a d so ha g t g th r T this

extent everything privat becomes something social. L dress fashions and hours f meals, there are cer tain co ventions which we ha e t ccept because in these things it is no worth th troub t must dividing ne own discernment. The wisest thing here t do as others do

4. Par gr ph 95

The entire Cynical mode f lif d pted b Di genes was nothing more or less than prod ct f Athenian social life, and what d t rmined t was the way f thinking against which his wh l manner protested. Hence it was t independent f social conditions but simply their result t was tself rude product f luxury When luxury is t its height, distress and depravity are equally extrem and in such circumstances Cynicism is the tcom f p-position to refinement.

1 5. Par graph 96

There hardly an raw material which does t need to be w ked bef re use E en air has to be worked f because w ha e t warm t W ter is pe haps t ly excep n, because w can drink it as we find it. It is by the sweat f his brow and th t il of his hands that man btains the means to satisfy his needs.

5 Paragr ph 97

The savage is lazy and is distinguished from th educated man by his brooding tupidity because practical ed catio is just educati in th need and ha t f being busy A lumsy man always prod ces resu be does not in end h is t mas f his wn job Th killed w ker t ther hand may be said t be the ma wh prod ces th thing as t ough t be and wh hits th nail the head without shrinking (keine Sprod gkeit in seinem subjek t en Tun g gen den Z k findet)

1 7 Paragr ph 20

The ways and means f sharing in th capital f society are left t each man particular choice b t the subdivision f civil society int di re t general branches is necess y Th famil is the first pre condition f the state b t class divisions are th sec nd Th importance f th la er is d t th f ct that alth ugh private persons are self-seeking they are compelled t direct their t entio t thers. Here then is th roo which connects self-seeking to the universal, i.e. the state whose care it must be that this tie hard and fast ne.

8. Par gr ph 203

I our day griculture is cond cted on methods devised b re ective thinking i.e. like fact ry This has given charact like that f industry and co trary t its nat ral one. till, th agricul tural class will always retain mode f lif which is patriarchal and th substantial fram f mind prop- t such life. The membe f this class accepts m d takes what h

[On the bon f Arth Young' Line Is here (sq Halery remark that, I you were in the fices of certa farm there, you could not tell bether you were on I rm or in the heart I large factory (History) he En lish People in 8 5 Bk. ii, Chap. I)]

9 Par graph 204

In th business class, th indi dual is thrown back himsel and this feelin f self hood is m t in timately co ected w th th demand f law and rder Th sense f freed m and rder has theref re arisen bo ll in t wns Th agricult ral class, th ther hand, has littl occasi n t think f tself what t btain is th gift f trange f nature. Its feelin f depend ce is fundamental t it, d with this feeling th re is readily associated willing ness t bmit to whateve ma befall t t th men hands Th gricultural class is thus m re in clined t s bservi ence the business class t freed m.

3 Paragraph 207

When w say that man must be som body we mean that h sh uld belon t som specifi social class, since t be som body means t h e substantiv e being A man with class is mere privat perso and his universality is t ctualized. On th ther hand, th individual in his particularit may tak himself as th universal and presum that by entering class h is surrendering himself to an indignit This is th false dea that in ttaining det rmin cy ecessary to t, thing is restricting and urrendering self.

3 Paragr ph 209

From ne point f view it is through th working f th system f particularity that right becomes n external compulsio as protection f particular in terests. E en th ugh this result is d t th co cept, right none th less only becomes something existent because this is useful f men needs. T become conscious in th ught f his right, man must be trained t think and give up dall ing with m re sensation. W must invest th bjects f ur th ught with th f rm f uni ersality and similarly we must direct our willing b universal principle. It is nly after man has devised umerous needs and after their cquisitio has becom intertwined with his satisf ction, that h can frame laws f himself

3 Par gr ph

Th sun and the planets have their laws too but they do not kn w them. Savages are governed by impulses, cust ms, and feelings, but they are unco scious f this. When right is posited as law and is known, every accident f feeling vanishes together with the f rm f revenge, sympathy and selfishness,

are still reciprocally bound together and conditioned While each of them seems to do just the opposite to the other and supposes that it can exist only by keeping the other at arm s length none the less each still cond tions the other Thus for example most people regard the paying of taxes as injurious to their particular interest as something inimical and obstructive of their own ends Yet however true this seem s particular ends cannot be attained without the help of the universal and a country where no taxes were paid could not be singled out as invigorating its citizens Similarly it might seem that universal ends would be more read ly attainable if the universal absorbed the strength of the particulars in the way described for instance in Plato s *Republ c* But th s too is only an illus on s nce both universal and particular turn into one another and exist only for and by means of one another If I further my ends I further the ends of the universal and this in turn furthers my end

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t u ver w nt and destitution are measu eless too and the disco d of this situation can be brought into a harmony only by the state which has powers over it Pl to wished to exclud particularity from his state but this is no help s nce help on these l nes would cont avene the infinite right of the Idea to allow freedom to the partic ul r It was in the Christian r ligion in the first place that the right f subjectivity a ose togethe with the infinity of s lf av a en ss and wh le granting this right th whole order must at the same time retain strength enough to put part cularity in harmony with the un ty of ethical life

119 *P rag aph 187*

By educat d men we may prima facie unde stand tho e who without the obtrus on of personal id o syncrasy can d what the s do It is prec sely this idiosyncrasy h wever wh ch unedu ated m n di play s ce the b h viour is not gov ned by the u ive s l characteristics of the s tuat n Sim l ly an un ducated man s pt t hurt the f el g of his ne ghb urs He simply l ts h mself g nd does n refl

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t u u o g ar ty wh ch p duces the real thi demands ge u e education wh le b stard orm al ty adopts eccentricities which only ent r the heads of the u educated.

120 *Par g aph 189*

There a e certain universal needs such as fo d drink clothing &c., and it depends e tirely on accidental circumstances how these are satisfied. The fertility of the soil varies from place to place harvests vary from year to year one man is industri us, another indolent But this medle f h

t

g t u cause it finds laws for a mass of accidents It all cha ns of particular sp ence others or in u ed by others. The most remarkable thing here is this mutual interlocking of particulars which is what one would least expect because at first s ght everything seems to be given over to the arb trariness of the ind idual and it has a parallel in the solar system which displays to the eye only irregular movements tho gh its laws may none the less be ascertained

121 *Pa g aph 190*

An an mal is rest icted to particularity It has its inst ncts and means of sat sfying them means which are l m d se ar ch th of foc i t to eat and to overcome its natural rav ness both me n that man has less comfort th n an animal and i deed as m nd he o ght to have le s Intelli gence with its grasp of disti ctions mult pl e th s human needs and si ce t te and util ty become crite ia of judgeme t ev n the needs th m l es a e ffect d the eby Fin lly it is no longer n ed but op nion which has to be satisfied, and it is just the educated man who analyses the concr te int its parti ula s The very multipl cati of needs inv lves a che k on desire because when m ny thing r in u e the u ge to obtain any one th g which might b ne ded is l ss st ong and this is s gn that want altogether is not so imper ous

1 2 *P ag ph 191*

Wh t th English ll omfort is someth g in e hau t bl and illim t ble [Others can disco er t you that hat you tak to b] c mf rt at any stage i dis omfo t and th se disc v ies v e me to an end H nc th need f r g ate omfort d es n t ex a tly n e w th n y u d r ctly it is uggested t y u by th s who hope to m ke a p f t f m its creati

123 *P g ph 192*

The fa n e t ot ity It is f f ct o At th sa I am ompelled t produ e me ns f th satisf t f th r We pl y i to e ch oth r s hands d so ha g t g ther To this

Th m mbe f this class cc pts

— everythin vat becomes som thing social. —

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P ph 4

posi to refin ment.

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h eeds.

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6 Par gr ph 97

Th sa ag is lazy and is distingui hed f m th educated m by his b ooding t p dity beca practical ed cati is j t ed cati in th eed d habit f being busy A cl m y man alway p d ces resul h does t intend h is t mast f his n j b Th killed w ker th th h d m y be sa d t be th m wh prod ces th thing as t ght t be and h h ts th nail th head with t shrinki g (*keine Sp d gkeit m bj k tiven T g g den Zw k fi d t*)

1 y P rag ph

Th ways d means f sh ring in th cap tal f society re l ft t each man particula ch ce b t the subdi isi f vil soc ty int diff re t gen ral bran hes is ecessity Th f mil is th first p co diti f th tat b t lass divisi ns re th sec nd. Th importance f th l tt is d t th f t that lth gh p vat persons self se king they are mpelled t direct thei tt ti t th rs. H re then is th roo wh ch connects self seek g t th ersal, .e. t th tat wh se care t must be that th ti is h d d fast ne

8 P gr ph 203

I day gricult re is co d cted m thods devised b reflective thinki g i lik f ct ry Th has g ven t ch ract lik that f ind stry d rary t ts nat ral Still th gricul t ral lass will always retain m d f lif which is pa riarch l d th sub ta tial fram f mind prop-

[On he tho f Arth Y g' *Lenc l kir* (99) Halevy rema k tha f you w re in the ffices of cert rm there co ld ell whethe yo ere l rm the be rt f l ge l ctory' (*H ar f he Engl h P ple in 8 5* Bk. ii, Chap l)]

3 P g ph 209

F m p int f w lt is th gh th w ki g f th y tem f particul nty th t right be mes an ext rnal comp lsi as p t cti f p rti lar in

—

with th f rm f ni rsality and simil ly w must direct willing by niversal principl It is nly fte ma has devised m rous ds d aft their quisit has becom int rtwined with his satisf ti th t h can fram law f himself

3 P gr ph

Th d th planets ha e thei l ws too b t th y d t kn w th m. S vages re g vern d by impulses cust ms, d feeli gs, b t th y sci us f this. When right is po ted as law and is kn w every ccident f feeling anishes t gether with th f rm f reveng sympathy and elfish ess

are still reciprocally bound together and cond tioned While each of them seems to do just the nn
the o h
ing tl
cond
ple re
partic
struct ι us Yet however true this
see is particular ends cannot be attained w th
the h l f h

t
P
a o r it I further my ends I further the ends of the universal and this in turn furthers my end.

118 *Pa agraph 185*

Particularity by tself is measureless excess a d h
f rm f
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s n on to the false infinite At the other end of the scale hov eve want and de ti tution are measureless too and the discord of this situation can be brought into a harmony only by the state which has powe s over it Plato wish d to exclude particularity from his state but this is no help since help on these lines v ould contravene the inf nite right of the Idea to allow freedom to the part c ula It was in the Ch istian religion in the first place that the r ght of subject vity a o e togethe with the infin ty of self awarene s and v hil gr nti g this right the whole orde must at the s me t me retain st ength eno gh to put part cularity in harmony with the unity of ethical life

119 *Pa ag ph 187*

By educated men v e may prima facie under tand those who w thout the btrus on of pe sonal id o syncrasy can d what oth rs do It is precisely this id o yncrasy hov ever which uneducat d men di play since the r beha iou is not governed by the univ rsal characteristics f the situati n S m l ly an uneducated man i pt to hurt the feel gs f his ne ghbours He simply lets hims lf g and do s not r fl

ue ı o gı al ty which pr d ces the re l thin dema ds genu e ed cation vhil bastard originality dopts eccentricities which only ente the heads of the uneducated.

120 *Pa ag ph 189*

The e are certa n universal needs such as f od, drink clothing &c and it depends e tirely on accidental circumstances how these are satisfied The fertility of the so l varies from place to place harvests vary from year to year one man is industrious, another indolent But this medley of arbitrariness generates universal characteristics by its own working and this apparently scattered and thoughtless sphere is upheld by a necessity which automatically enters it To discover this necessary element here is the object of political economy a science which is a credit to tho h h
of accident
all chains o
particular
ence others
The most r
terlock ng o
least expect because at first s ght everyth g seems to be given over to the arbitrariness of the individual, and it has a parallel in the solar system which dis plays to the eye only irregular movements though its laws may none the less be asc rtained

121 *Pa ag ph 190*

An animal is restricted to particularity It has its inst ncts and means of satisfying them means which are limited and wh ch it cannot overstep Some insects are parasitic on a certain kind of plant som
m

I ı ı t to eat and to vercome its natural rav nes h h
than an a
have less I
multipl es
util ty become crit r a of judgement even th needs them el es are affect d thereby Fi ally it is no longe need but opinion which has to be sat fied and it is j st the ed cated man v ho analy es the concret int its pa t culars The very multiplicat n of d

I t w nt alt g ther is not so impe ous

12 *P ag ph 191*

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123 *P g ph 192*

The f ct th t I mu t d rect my co d ct by refer ence t th rs ı t odu es h the f rm of u i rsal ity It is f m oth rs th t I a quir th means of sat i fa ti n nd I mu t c di gl ccept their news At the same t m h w I m compelled to pro d ce m ans f r th sati f cti n of th rs We play l to each other s hands a d so h ng t g th r To this

Th m mbe f this class accepts

extent everything privat becomes som thing social. In dress fashions and hours f meals, there are cer tain co vents ns which w have t ccept because in these things it is n t worth th tro bl t insist displaying ne wn discernment. Th wisest thin here is t d as thers d

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position t refinement.

5 Paragr ph 96

There hardly any raw material which does t eed to be w ked bef re use. E en air has to be worked f because w ha e t warm t. W te is per haps th nly excep beca se w can drink t as we find it. It is by th eat f his b w and th t il f his hands that man btains th means to satisfy his needs.

6 Par gr ph 97

Th savag is lazy and is distinguished from th educated man by his brooding tupidity because practical ed cati is just ed cati in th eed and habit f being bus A clumsy man alway p od ces result h does t intend h is t master f his wn j b Th skilled w ker th th hand ma be said t be the man h prod ces th thing as t ought t be and wh hits th nail th head with out shrinking (*keine Sprod gkeit in seinem subjek t-en T g gen den Zw k f det*)

7 Paragr ph 20

Th ways and means f sharing in th cap tal f society are left t each ma particular ch ce b t the subdivision f civil society int diff rent gen ral branches ecessity Th family is th first pre conditi f the state b t class divisions re th sec nd. Th importance f th lat er is du t th f ct that alth ugh priva persons are self-seekin they are compelled t direct their tt ti t th rs. Here then is th root which connects self seeking t the universal, i.e. t th stat wh se care t must be that this is hard and fast ne.

8 Par gr ph 203

In ou da agricult re is conducted methods devised b reflective thinking i.e. like f ct ry This has given t charact like that f industry and co trary t its natural till, th agricul tural class will always retain mod f li which is patriarchal and the substantial fram f mind prop-

[On he thon f Arth Young' *Lec lurke* (99) Halevy remark that, if you were in the Sees of certa farm there 'you could not ell hether you ere on f rm or in the be rt f large factory' (*Hist f the English People* m 8 5 Bk. ii, Chap. i)]

9 Par gr ph 204

In th business class, th indi dual is thr wn b ck n himself and this feeling f self hood is m st in timately connected with th demand f law and rd Th sense f freed m and der has th ref nse bo all in t wns Th agricultural class, th ther hand has littl occa i t think f tself wh t t btains is th gift f tra ger f nat re Its feelin f depe dence is fundam tal t t d with this feeling there is readily associated willing ness t submit t wh t er may befall t t oth men hands Th agricultural class is thus m re in clined t s bservience th business class t freedom

3 Paragr ph 07

— — hod

3 Par gr ph 209

From ne point f view it is thro gh th w rkin f th system f particularity that right becomes an ext rnal comp lsion as protecti f particular in-

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be trained t think and give p dall ing with m sensation. W must invest th bjects f our th ught with th f rm f universality and similarly we must direct our willing by uni ersal principle. It is nl after man has d ised um rous needs and after their acquisition has becom intertwined with his satisf ction that h can fram laws f himself

3 Par gr ph

Th un d the planets have their laws too b t they d t know them. Savages are g verned by impulses, cust ms, and feelings, but they re unco sci us f this. When right is posited as law and is known, every cident f feeling vanishes together with th f rm f revenge sympathy and selfishness,

and in this way the right attains for the first time its true determinacy and is given its due honour It is as a result of the discipline of comprehending the right that the right first becomes capable of universality In the course of applying the laws clashes occur and in dealing with these the judge s intelligence has its proper scope this is quite inevitable because otherwise carrying out the law would be something mechanical from start to finish But to go so far as to get rid of clashes altogether by leaving much to the judge s discretion is a far worse solution because even the clash is intrinsic to thought to conscious thinking and its dialectic while the mere fiat of a judge would be arbitrary

not the whole essence of the matter Law (*Recht*) must be known by thought it must be a system in itself and only as such can it be recognized in a civilized country The recent denial that nations have a vocation to codify their laws is not only an insult it also implies the absurdity of supposing that not a single individual has been endowed with skill enough to bring into a coherent system the endless mass of existing laws The truth is that it is just systematization i e elevation to the universal which our time is pressing for without any limit A similar view is that collections of judgements like those available in a *Corpus Juris* are far superior to a code worked out in the most general way The reason alleged is that such judgements always retain a certain particularity and a certain reminiscence of history which men are unwilling to sacrifice But the mischievousness of such collections is made clear enough by the practice of English law

133 *Paragraph 213*

In the higher relationships of marriage love religion and the state the only aspects which can become the subject of legislation are those of such a nature as to permit of their being in principle external *Still in this respect there is a wide difference* between the laws of different peoples The Chinese for instance have a law requiring a husband to love his first wife more than his other wives If he is convicted of doing the opposite corporal punishment follows Similarly the legislation of the ancients in earlier times was full of precepts about uprightness and integrity which are unsuited by nature to legal enactment because they fall wholly within the field of the inner life It is only in the case of the oath whereby things are brought home to conscience that uprightness and integrity must be taken into account as the substance of the matter

134 *Paragraph 214*

There is one essential element in law and the ad[illegible]

talking in abstractions The measure of a thief's punishment for example cannot be made equivalent to any determination of the concept of punishment and the decision made whatever it be is from this point of view arbitrary always. But this contingency is itself necessary and if you argue against having a code at all on the ground that any code is incomplete you are overlooking just that element of law in which completion is not to be achieved and which therefore must just be accepted as it stands

135 *Paragraph 215*

The legal profession possessed of a special knowledge of the law often claims this knowledge as its monopoly and refuses to allow any layman to discuss the subject Physicists similarly have taken amiss Goethe s theory about colours because he did not belong to their craft and was a poet into the bargain But we do not need to be shoemakers to know if our shoes fit and just as little have we any need to be professionals to acquire knowledge of matters of universal interest Law is concerned with freedom the worthiest and holiest thing in man the thing man must know if it is to have obligatory force for him

136 *Paragraph 216*

Completeness means the exhaustive collection of every single thing pertaining to a given field and no science or branch of knowledge can be complete in this sense Now if we say that philosophy or any one of the sciences is incomplete we are not far from holding that we must wait until the deficiency is made up since the best part may still be wanting But take up this attitude and advance is impossible either in geometry which seems to be a closed science although new propositions do arise or in philosophy which is always capable of freshness in detail even though its subject is the universal Idea In the past the universal law always consisted of the ten commandments now we can see at once that not to lay down the law 'Thou shalt not kill' on the ground that a legal code cannot be complete is an obvious absurdity Any code could be still better—no effort of reflection is required to justify this affirmation we can think of the best finest and noblest as still better finer and nobler But a big old tree puts forth more and more branches without thereby becoming a new tree though it would be silly to refuse to plant a tree at all simply because it might produce new branches

137 *Paragraph 217*

Law and the right are identical in the sense that what is implicitly right is posited in the law I possess something own a property which I occupied when it was ownerless This possession must now further be recognized and posited as mine Hence in civil society formalities arise in connection with property Boundary stones are erected as a symbol for

[Hegel's acceptance [illegible] theory [illegible] (Enc. § 317) [illegible] great plea [illegible] Goethe [illegible] summary [illegible] criticism of the theory see e.g. G. H. Lewes *Life of Goethe*, Book V, chap. ix.]

... t recourse. Entries are mad in m rtgage ... well so- ... is are ... antip- ... sup- ... to the ... ething ... impair ... as his ... what is inherently right must also be posited as ... My will ... rational will it has validity and its validity should be recognized by others. At this point, then, m subjectivity and that of thers must be set aside ... will must achieve th security stability and objectivity which can be ttained only through such formalities.

38 Paragr ph ...

I seems to be contradiction that crim committed in society ppears m re heinous and yet is punished m re leniently B t wh... t would be impossible for society t leave crime unpunished, since that would be t posit it as ight. till since society is sure f itself crim must always be som thing idiosyncratic in comparison, something unstable and exceptional. The very stability f society gives crime the status f something purely subjective which seems to be th product rather f natural impulse than f prudent will. In this light, crime acquires milder status, and f this reason its punishment too becomes milder. If society is still internally weak, then an exampl must be mad by in ... itself

39 Par gr ph 22

Since an individual has the right re judice ... he must also kn w what the law is therwise this privilege would be useless t him. But t is also his d y t stand his trial. Under th feudal system, th nobles ften refused t stand their trial. They defied the court and asserted that th court was wron to demand their appearance. Feudal co ditions, how ever co travened the very idea f court. N wa days monarchs have recognize th jurisdiction f the court in their private affairs, and in free states they commonl lose their case.

40 Par gr ph

A man may be indignant if right which h knows he has is refused him because h cannot prove ... B t if I ha ... right, it must t the same time be right posited in law. I must be able t explain and prove t, and its validity can only be recognized in

soci t if ts rightness in principl is also mad posited rightness in law

14 Par gr ph 224

... common sense t h ld that

... s

ings shall be ...

th f ct that ( ) th aim f th co rt is justice which as universal falls under th cognizance f everyone and ( ) t is through publicity that th citizens becom convinced that th j dgement was actuall just.

142 Paragr ph 227

N grounds can be dd ced f supposing that th j dge i.e. th legal expert, should be th nly perso to establish h w th f cts li f ability t d so depends general not pure y legal ed ca ti n. Det rmmati f the f cts f th case depends empirical d tails, depositi ns abo t what happe ed, and similar perceptual data agam f cts from which inferen es can be drawn bo t th deed in questi and which make t p bab im probable. Here th n, t is an assurance which sh ld be required, t truth in th higher sense in which t is always som thing t rnal. Here such assurance is bjecti e co victi conscience and th problem is What f rm sh uld this assurance tak m co rt f law? Th demand, commonly mad in German law that criminal sh uld confess his guilt, has this t be said f it, that the right f self-co sci usness th reby ttains measure f satisf cti consciousness must chim in with th j dge sentence, and t is nl when the criminal has confessed that th judgement loses its alien charact so far as h is concerned. B t difficulty arises here, beca se th criminal may li and th interest f justice may be jeopardized. If th ther hand, th subjective convictio f the judge is t h ld good, som hardship is ce more in olved, because th ccused is longer being treated as free man. Now th middle term between these extremes is trial by jury which meets th demand that the declarati f guilt innocence shall spring from the soul f th ccused.

143. Paragraph 9

In civil society universality is necessity on. When we are dealing with human eeds, t is nly right as such which is steadfast. B t this right—only re tricted sphere—has bearing sim ly th protec

tion of property welfare is something external to right as such This welfare however is an essential end in the system of needs Hence the universal which in the first instance is the right only has to be extended over the whole field of particularity Justice is a bi thing in civil society Given good laws a state can flourish and freedom of property is a fundamental condition of its prosperity Still since I am inextricably involved in particularity I have a right to claim that in this association with other particulars my particular welfare too shall be pro moted Regard should be paid to my welfare to my particular interest and this is done through the po lice and the Corporation

144 *Pa agr ph 234*

Here nothing hard and fast can be laid down and no absolute lines can be drawn Everything here is personal subjective opinion enters in and the spirit of the const tution and the crisis of the day have to provide precision of detail In t me of wa for in stance many a thing harmless at other t mes has to be regarded as harmful As a result of this presence of accident of personal a bitrariness the public au tho ity acqu es a measure of od um When reflec tive thinking is ve y highly developed the public authority may tend to d aw into its orbit everything it pos ibly can fo in everyth n some factor may be found wh ch mi ht make it dan rous in one of its bearings In such circumstances the public authority may set to work very pedantically and embarrass the day t d y life of people But however g eat this annoyance no objective l ne can be drawn here either

145 *Pa g ph 236*

The overs ht and care exercised by the public au thority aims at be ng a m ddle term betw e n an in dividual and the un r al possib lity afforded by society of atta n ng ndividual ends It has t dertake of daily r this conn pres nt t ... is that the supe int ndence of everything properly belo gs to the public author ity the other that the publ c author ty has noth ng at all to settle he e beca se e eryon will di ect his co duct acco d ng to th needs f others The i di vid al must have a r ght to wo k f r his b ead as he pleases but the public also has a ight to ins st that essential ta ks sh ll be p ope ly done Both po nt of vie must be satisfied and freedom of trade should not be such as to jeopa dize the general g od

146 *P ag aph 238*

To be sure the f m ly has to prov de bread for its members but in ci il soci ty th f m ... e ything by its means If man is to be a member of civil society in this sense he has rights and claims against it just as he had rights and claims in the family Civil society must protect its members and defend their ri ts, while its rights impose duties on every one of its members

147 *Paragraph 239*

The line which demarcates the ... t e f e a d. ri to com have t that ha ... seen in France between the advocates of state supervision and those who demand that ed ucation shall be free i e at the option of the par ents are relevant here

148 *Pa ag aph 240*

There was an Athen an law compelling every citi zen to gi e an account of h s s urce of li elihood. Nowadays we take the view that this is nobod s business but his own Of course every ind idual is from one po nt of view independent but he also plays h s part in the system of civ l society and while every man has the right to demand subsistence from it t must at the same time p otect h m f om him elf ...

s ... i ... ng its membe s it al o has the right to press them to provide for their o n l velihood.

149 *P ag ph 244*

The lowest sub istence level that of a rabbl of paupers is fixed autom t cally but the minimum varies considerably i different cou tr es I E land even the very po est bel e e that they ha e rights this is diffe ent from hat satisf s th poor in ther countri s Po ty in itself d es n t make men i to a rabbl a rabble is created nly when there is jo ned to pov rty a disposition of m d an inner indi nat on ag nst the ich ag in t society ag inst th gov rnm t & A f rthe c nsequ nce of this attitud is that th ugh their depend ce o ch nce men bec me f i l us and idle l k the Ne ap litan *la o f r e* mpl In this way there is born i the rabble the il of la k ng self respect enough to secu subsi tence by ts wn l bo r a d

[R se *Em l* p bl h d i 76 the l ic d m d f f eed m ed Stat pervi i s ad oc ted by La Ch l t l h *F d Ed t* *t nal* p bl hed s l t The Jes it th chief d t rs l Fra w pelled 764 The al f f m ly l f lso h lped t m l t F nch t rest l educat th seco d h ll f th htee th t ry] [H od t *H tory* ll 77 Pl t ch *Li e of S l*]

we at the same time, by claiming the right to receive subsistence as its right. Against nature man can claim no right, but once society is established, poverty immediately takes the form of a wrong done to one class by another. The important question of how poverty is to be abolished is one of the most disturbing problems which agitate modern society.

Paragraph 4

Civil society is thus driven to found colonies. Increase of population alone has this effect, but it is due in particular to the appearance of a number of people who cannot secure the satisfaction of their needs by their own labour once production rises above the requirements of consumers. Sporadic colonization is particularly characteristic of Germany. The emigrants withdraw to America or Russia and remain there with no home ties, and so prove useless to their native land. The second and entirely different type of colonization is the systematic; the state undertakes it, is aware of the proper method of carrying it out and regulates it accordingly. This type was common amongst the ancients, particularly the Greeks. Hard work was not the business of the citizens in Greece, since their energy was directed rather to public affairs. So if the population increased to such an extent that there might be difficulty in feeding it, the young people would be sent away to a new district, sometimes specially chosen, sometimes left to chance discovery. In modern times, colonists have not been allowed the same rights as those left at home, and the result of this situation has been wars and finally independence, as may be seen in the history of the English and Spanish colonies. Colonial independence proves to be of the greatest advantage to the mother country, just as the emancipation of slaves turns out to the greatest advantage of the owners.

Paragraph 255

The consideration behind the abolition of Corporations in recent times is that the individual should fend for himself. But we may grant this and still hold that corporation membership does not alter a man's obligation to earn his living. Under modern political conditions, the citizens have only a restricted share in the public business of the state, yet it is essential to provide men—ethical entities—with work of a public character over and above their private business. This work of a public character, which the modern state does not always provide, is found in the Corporation. We saw earlier [Addition to Paragraph 254] that in fending for himself a member of civil society is also working for others. But this unconscious compulsion is not enough; it is in the Corporation that it first changes into a known and thoughtful ethical mode of life. Of course Corporations must fall under the higher surveillance of the state, because otherwise they would ossify, build themselves in, and decline into a miserable system of castes. In and by itself, however, a Corporation is not a closed caste; its purpose is rather to bring an isolated trade into the social order and elevate it to a sphere in which it gains strength and respect.

Paragraph 258

The state in and by itself is the ethical whole, the actualization of freedom; and it is an absolute end of reason that freedom should be actual. The state is mind on earth and consciously realizing itself there. In nature, on the other hand, mind actualizes itself only as its own other, as mind asleep. Only when it is present in consciousness, when it knows itself as a real object, is it the state. In considering

moments. The march of God in the world, that is what the state is. The basis of the state is the power of reason actualizing itself as will. In considering the Idea of the state, we must not have our eyes on particular states or on particular institutions. Instead we must consider the Idea, this actual God, by itself. ... state may be

criminal, or an invalid, or cripple, is still always a living man. The affirmative, life, subsists despite his defects, and it is this affirmative factor which is our theme here.

Paragraph 259

such are independent of one another and there, where their relation to one another can only be an external one, so that there must be a third thing standing above them to bind them together. Now this third thing is the mind which gives itself actuality in world history and is the absolute judge of states. Several states may form an alliance to be a sort of court with jurisdiction over others, there may be confederations of states, like the Holy Alliance for example, but these are always relative only and restricted, like 'perpetual peace'. The one and only absolute judge, which makes itself authoritative against the particular and at all times, is the absolute mind which manifests itself in the history of the world as the universal and as the genus there operative.

[See Paragraphs 330–333 and the Addition thereto]

154 *Paragraph 260*

The Idea of the state in modern times has a special character in that the state is the actualization of freedom not in accordance with subjective whim but in accordance with the co cept of the will i e in accordance with its universality and d vin ty Im mature states are those in wh ch the Idea of the state is still veiled and where its particular determinat ons have not yet attained free self subs stence In the states of classical antiquity universality was pre ent but particularity had not then been released given free cope and brought back to universality i e to the universal end of the whole The essence of the modern state is that the universal be b und up with the complete freedom of its particular members and with private well being that thus the interests of *family and civil society must concentrate themselves* on the state although the un versal end cannot be ad anced without the personal knowledge and will of its particular members whose ov n r ghts must be maintained Thus the un versal must be fu the ed but subject vity on the other hand must attain its full and living development It is only when both these moments subsist in their strength that the state can be regarded as articulated and genuinely organ ized

155 *Paragraph 261*

In th state everythi g depends on the unity of u iversal and particular In the states of antiquity the subjective end s mply coincided with the state s will In modern t mes however we make claims for private judgement private will ng and private con science The ancients had none of these in the mod ern sense the ult mate thing with them was the v ill of the state Whereas under the despots of Asia the i dividual had no i ner l fe and no justif cation in himself in the modern world man insists on re pect being paid to his inner life The conjunction of duty and right has a twofold aspect what the state dem nds from us as a duty is *eo ipso* our r ght as ind v duals s ce the state is nothing but the articulation of the concept of f eedom The de terminations of the indi dual will are g en an object e mbodiment through the state and th e by they atta their truth and the r actualization fo the first tim The stat s the one and only p e *requis te of the attainment of particul r ends and* v elfare

156 *Pa ag aph 262*

In Plato s state subjecti e freedom does not co t because people have their occupations s igned t them by the Gu dians I ma y or ental states this

— h n h e

proper it is the abstract moment the moment of *being by oneself and so of having identity with one* self But analysis of sensation reveals that it has t o a_pects and these are distinct in such a way that each of them seems to be a whole system by itself The first is feel ng in the abstract keeping oneself self enclosed the dull movement which goes on inter nally reproduction internal self nutrition gro th and d gestion The second moment is that this self related existence has over against it the mom nt of difference a movement outwards This is irritab l y sensation moving outwards This con titutes a sys tem of its own and there are some of the lower t pes of animals which have developed this system a e v hile they lack the soul charged un ty of inner sen sation If we compare these natural features ith tho e of mind then the *family must be paralleled* with sens bil ty and civil society with irritabil ty Now the third is the state the nervous sy tem as a

nature The nervous system is the sens tive sy te a

[Read g w th La]

But the ground and final truth of the e in t t ti ns is m d their uni ersal end and kno n objecti e The family too is ethical o ly its end is not kn n as such while it is the sep ration betv een o e m n a d a other wh ch makes civil society v hat it is

158 *Paragraph 65*

As was remarked earl er on the sanctity of m r

capacity What is of the utmost importance is that the law of reason sho ld be shot through and thro gh by the law of pa t cular fre dom and th t my par ticular end should become identif ed with the uni versal end or otherwise the state is left in the air The state is actu l only when its members h e a f el ng of th ir own s lf hood and it is stable o ly hen publ c and pr vate e ds a id ntical It has often bee said th t th end of the state is the h p p ess of the itizens Th t is perfectly true If all is n t well th th m if the subjective aims are r t sat fied if th y d n t f nd th t *the state as such* is the me n to their sat f ction then the footi g of the state its lf is insecure

159 *P g aph 267*

The u ity f the freed m which knows and wills itself is pres t f r t of all as neces ty Here s b sta ce is p es t s th ubjecti e e tence of i di v duals Necess ty s oth r m de f l ein ho er

160 *Pa ag aph 268*

Immatu m ds d l ght in argumentation and

[The r f en is p bably t P ragraph 255]

fault finding because t is as en ugh to find f lt, much hard to see t good and its inn ecessity The learner always begins by findin f lt, b t th scholar sees the positi e m rit in everythin In reli gio this that is qu kly dismissed as supersti rder to pprehend th

t

and that in it alon ca particula in exists tered. B t hab t blind us t that which h le existence depe ds. When w walk th street t n t in safet it does t strik us th t this mi t be therwise This h b t f feeling saf has become seco d nature d w d t reflect just how t is d l t th w king of special institutions. Comm place thinking ft has th im presso t t f rce h lds th tat togeth but in f ct ts ly bond is th f dam tal ense f rder which everybody possesses

6 *Par 57 pk 269*

Th ta is an rganism e th d el pm t f t Idea t th articulatio f ts differences. Thus these diff re t des f th stat are ts va us pow ers with their functions and spheres f cti by means f which th universal co tin ally engend rs

as ccomplished f ct. This tallies ... about th belly and the ther m mbers. Th nat re f organism is such that unles each f ts parts bro ht into identity w th th thers, unless each f them is prevented from chieving ut my th b must perish B listing ttributes, axioms, &c., no progress can be mad in assessing th nature f t sta t must be ppreh ded as an rganism. One migh as well try t und rstand th nature f God by listing his ributes, whil th truth is that we must intuit God lf in that hi tself

5 *Par 57 pk 270*

Th stat is actual, and ts ctuality consists in this that th interest f the wh l is realized in and through particula ends. Actuali y is alway th un y f universal and particular th uni real dismembered in th particulars which seem be self ... alth ugh they really are ph d d *co* tained only in h wh l Where this nit is t present, thing is t ctual even th ugh it may have cquired existence A bad te is ne which

[The f ble recounted by Menen Agrippa dissuade the Roma pl b from secession. Li ii. 3 hakespeare *Coriolanus* Ac I Sc. i.]

me ly exists a sick body exists *too* b t t has n genuin reality A ha d which is cut ff still looks lik *hand, and t exists,* b t with t being ct al. ... rt l is in

sol ti n.

To m t re tat th u ht and consci ess essentially bel ng Th ref re th tat kn ws what it wills and knows t as som thing th ght. N w since knowing ha ts seat in th stat th se t f science m t be there too and not *in th ch rch* Despite this, t is *ften said wadays that th tat must grow t f religi n.* Th state is mi d f ll m ture and t exhib ts ts m m ts in th daylight f co sci usness. N w the f ct that what is h dden in th Idea t ps f rth int bject e exist ce gives th stat th ppearance f som thin finite and so th stat reveals tself as d main f w ldliness whil religi displays self as d main f th infinit It this be so th stat seems to be th subordinat and since what is finit cann t tand ts wn feet th ... h h h as ts basis

thus ther are three persons whos unity alo is Spirit (*Geist*) Theref t ppreh d th nat re ...

by finite mind, is -sided view since th re is thing irrati al bo t actuality Of co rse bad state is w rldly and finit and thing ise b t th rati nal tat is inh rently infinite.

Seco dly t is erred that th tat must d rive its justificati from religi n. In religi n, th Idea is mind in th inwardness f th heart, b t t is this sam Idea which gives tsel wo ldly f rm as th state and fashi ns f tself an mbodiment and an ctuality in kn wing nd willing. N w if yo say that th tat *must be grounded* religi you may mean that it hould rest rationality and arise t f it b t your tatement may also be misderstood t mean that men are m t droitly schooled t bedience f their minds are shackled

[*The illustration is from Arist tl P litic* 9 ff.]

154 *Paragraph 260*

The Idea of the state in modern times has a special character in that the state is the actualization of freedom not in accordance with subjective whim but in accordance with the concept of the will i e in accordance with its universality and divinity Immature states are those in wh ch the Idea of the state is still veiled and where its particular determinations have not yet attained free self subsistence In the states of classical antiquity universality was present but particularity had not then been released given free scope and brought back to unive s lity i e to the universal end of the whole The essence of the modern state is that the uni ersal be bound up with the complete freedom of its particular members and with private well being that thus the interests of family and ci il society must concentrate themselves on the state although the universal end cannot be advanced without the personal kno led e and will *of its particular members whose own rights must be* maintained Thus the unive sal must be furthered but subjectivity on the other hand must attain its full and living development It is only when both these moments subsist in their strength that the state can be regarded as articulated and genuinely organ ized

155 *Pa agraph 61*

In the state e c yth g depends on the un ty of u iversal and particul r In the states of antiqu ty the subjective end s mply coincided v th the state s will *In modern times however ve make claims for* private judgement private w ll ng and p ivate con science The ancients h d none of these in the mod ern sense the ultimate thing with them was the will of the state Wh eas under the despots of As a the i dividual had no inner l fe and no just f cation in h mself in the modern orld man sists on re pect being p id to his i ner life The conjunction of duty and right has a twofold a pect what the state demands from us as a duty is *eo pso* our ri ht as ind viduals since the state is nothing but the articulation of the co cept of f eedom The de term natio s of the individ al will are given an objecti e mbod ment through the state and there by they att n the r truth nd thei actual t on for the f st t me The state s the one nd only pre requis te of the atta ment of particul r ends a d welf re

156 *Pa ag aph 26*

In Plat s st te s bjecti e f eedom doesn t count because people have th r occupat o s ass g ed to

157 *Parag aph 263*

The state as mind sunders itself into the p rticu lar determinations of its co cept of its mode f be ing We might use here an ill tration drawn f om nature The nervous system is the sens ti e system

[Read g w th Lasso]

proper it is the abstract moment the mom nt c being by oneself and so of having identit with o e self But analysis of sensation reveals that it has two aspects and these are distinct in such a way that each

— —

nally reproduction internal self nutrition gro th and digestion The second moment is that this self related e stence has over a ainst it the moment of difference a movement outwards This is irritabi ty sensation movin out vards This constitutes a sys

— —

sation If v e compare these natural features with tho e of mind then the family must be paralleled with sensibility and civil society with irrat bility Now the third is the state the nervous sy tem as a *whole somethin inwardly organized but ih s h es*

— — f m l

But the ground and final truth of these i t t tions is mind their universal end and known objecti e The family too is eth cal only its end is not kno n as such while it is th sep ration betwe n one man and another which makes civil society what it is.

158 *Parag apl 65*

As was remarked earl er on the sanct ty of mar ri ge and the institut ons in which civil society is an appearance of eth cal life constitute the stability of the whole i e stability is sec red when uni ersal af fairs are the affairs of each member in his particular

t hat

versal e d or otherwis the state is left in the air The state is ctual o ly when its membe s h e a feeling of their own s lf hood and it is stabl o ly when publ c and p i te e ds are ident cal It has often be n said th t th nd of the state is th h p p ess of the citi s That is perfectly true If all is not ell w th them if their s bjective ims are n t satisfi d if they d n t f nd th t the state s s ch is *the me ns to the r satisf ction then the foot g of* the state itself is nsecu e

159 *Pa g aph 67*

Th u ity f the f e d m which knows and wills

i — f b

itself and th by mpl tes the cycle of its l fe

160 *Pa ag aph 268*

Immature minds d l ght i argumentati n and

[The f en is probably t P ragraph 55]

powers are t be distinguished nly as mom ts f l ging f b tt constit ti b t t is quit a
the co cept If instead th y bsist and pend tly th r thi g d th t d es t arise till later f
m th th t is as cle th mass f th peopl t be nim ted by s ch
lif f
g b t
part d

65 *Par gr ph 73*
Th p cipl f th mod rn w ld is f eed m f subjectu ty th pri cipl th t all th ess tial f tors prese t in th int ll ct al wh l are w m re f th dev l p-

with m t ed rati nality

66 *P g ph 274.*
Th tat in ts nstit ti m st permeat all re-lati nships within th tat N poleo f insta wished t gi th Spa ia ds nst t t *p ori* b t th pr ject t rned t b dly gh A nstu t is t just som thing ma f t ed t is th k f t ries t th Idea th nsci sn ss f rati nali y so f as that sci usness is d l ped In part cula tio N tit t ther f re is just th creati f ts bjects Wh t N poleo g t th pani ds was m re rat nal th wh t they h d bef and y t th y ec iled f m it as from som thing h because they w t yet ed cat d p t it lev l A ti co tit ti must embody ts feeling f its ri hts d its po t therwise th re m y be nstit ti th re ext rnal way b t i is m ni gless d al less. Isola ed individ als m y ften feel th eed d th

[When he xpelled he Bou bons from S ai d pu Joseph Bonaparte he hrone d b Cons of B onne i 808 W th he bre kd f the N

67 *Par gr ph 75*
W begin with th pow of the cr wn i with th m m t f indi d ality si this incl des the tat thr m m ts as t t lity in t lf Th eg th t is t say is t o th m t individ al thi g ... d ality

self

68 *P gr ph 276*
M ch th sam thing as this id ality f th m ments in th tat curs with lif in th phy cal r nism Lif is p se t in ry ll Th is ly lif in ll th lls and th g w th ta ds t S p rat d f m tha lif ry cell d es This is th sam th ideality f ry si gl class po d C rporati as as they h th *imp lse t* b

wh l

69 *P gr ph 277*
Th b siness f th tat is in th h ds f indi

rmy mmis. p t rtain ra k re sal bl to this day This sal b l ty f ffice h w w is till nn ted w th th m dieval stit t f rtain tates and h nstit ti ns re n w day grad ally disappearing.

7 *P g ph 279*
I th rganizati f th tate—which h rem ans constit ti nal m narchy—w m t h thing *bef re minds* ept th mh t essity f th Idea All th points f w m t anish Th t t must be treat d as great arch t ct ni tru

[I H gel da all fficers comm ns f m ens gn l na c l nel w re sal b th re es ct ns both p rchase and pri]

by a slavish religion (The Christian religion however is the rel ion of freedom though it must be admitted that this rel gion may become changed in character and perverted from freedom to bondage when it is infected with superstition) Now if you mean that men must have rel gion so that their *minds already shackled may the more easily be* oppressed by the state then the purport of your statement is bad But if you mean that men ought to respect the state this whole whose l mbs they are then of course the best means of effect ng this is to give them ph losophical ins ght into the essence of the state though in default of that a religious frame of mind may lead to the same result For th s reason the tate may have need of religion and faith But the state remains essentially distinct from religion since whatever it cla ms it claims in the form of a legal duty and it is a matter of ind fference to it in what spirit that duty is performed The field of religion on the other hand is the inner life and just as the state would jeopardize the right of that life if *like religion it made claims on it so also when the* church acts like a state and imposes penalties it degenerates into a rel gion of tyranny

A thi d difference which is co nected with the foregoing is that the content of rel gion is and remains veiled and consequently rel gion s place is in the field of the heart feeling and representative thinking In this field everyth ng has the form of *subjectivity* The state on the other ha d actuali es itself and gives its specif c institut ons a stable *objective* existence Now if religious feeling wished to assert itself in the state in the same way as it is

always referred back to the whole If this whole then w shed to eng lf all the conc rns of the st te this would be tantamou t to fanaticism the wish *to have the whole in every particul r could be ful* fill d only by the d struct n of the particular and

same fa aticism Once piety usurps the pl ce of the state it cannot tolerate th determi te but simply shatters it It is qu te co tent with this if p ety leaves decisio s to conscience to the inner *l fe* and is not governed by reasons This inner l fe d es not

with wh ch we st rt d This f el g h s God f r its object a d we might m ke him the d termin t of e erything But God is the uni ersal Idea and thi feeling can regard him only as the Indet rmi ate

which is too immature to determine what is existent in the state in a developed form It is precisely the fact that everything in the state is fixed and secure which is the bulwark against caprice and dogmatic opinion Religion as such then ought not to be the governor

163 *Pa agraph 271*

Just as irritability in the living organism is itself from one point of view something inward something *pertaining to the organ sm as s ch so here*

rests entirely on the military power as was the case for instance in the time of the Roman Emperors and the Praetorians *At other times nowada s for* example the m l tary power is a mere by prod ct of the civil power once all the citizens are con cript able

164 *Parag aph 272*

We should des re to have in the state nothing except what is an e press on of rational ty The state is the world wh ch mi d has made for itself its march therefore is on li es that are fixed and absol te Ho often we talk of the wisdom of God in nature! But we are not to assume for that reason that the physical world of nature is a loftier thing *than the world of mind As high as m nd stands* ab ve nature so h gh does the state stand above

tance that nowadays we h ve gained a clear- t i tu t on into the state i general and ha e been so much e gaged in d cussing and making con t tu tions But by getting so far e have n t yet ettled everything In add tion it is ecessary to brin to bear on a ratio al top c the reas u d rlyi g i tu itio to kn w what the essence of the m tter is and to real e that the obvi us is not always the es ntial

mom nts When ve spe k of the distinct act i of these pow rs we must not sl p into the mo st ous e ror f so interp eting the r distincti n as to s ppose that e ch power sh ld subsist i depe d ntly in abstracti n fr m the other The truth is that the

[L d r th f rm f tit ted by D ocl tia C t i ih I t i P fects wh w r lly I l ly m lit ry ff i l had p m a th ity d th Empe l both i ll nd mil t ry f f irs S g Cilbo h p il—pe h ps H gel s]

[*I d k-Cäitl k* H g l h re f ll w K t h g t th d f b es y Theory d Practice f rs t ti tates *F d -Cäit*]

nar and th individual, and its functi ns must be divided in ccordance with th diff rences between its branches. Th difficulty h weve is that these different branches meet again t both th t p and th bott m. Th police and th j diciary f m stance move t right angles t an th but in each particular case they coincid again. Th usual expedient adopted t meet this difficulty is t p-point Chancello Prim Minister or Président du Conseil des Mini tres to unify co trol t th top — ne everyth

than helpful to such interests, th ugh t must also supervise them, the indi id al finds pr tecti in the exercise f his rights d so links his privat interest ith th maintenance f th wh l F som tim past rganizations ha been framed with view t tr lling these particular sph res from above and f rt has chiefly been expended ganiza ns f that type, while th l w classes, th mas f th populatio ha been left m re less unorganized. And yet it is f th tmost importance that th masses sh uld be rganized, because nly so do they bec m mighty and powerful. Oth rwise they re nothing but heap an aggregat f t mi units. Only when the particular associations are ganized members f th stat are they possessed f leg mat po

5 *Par gr ph 97*

The middle class, t which ci il servants bel politically consci us d th ne in which ed ca tio *h most prominent. F* this reaso t is also the pilla f th stat so far as h esty d intelli ce are concerned. A tate w h t middl class must therefor remain on low level. Russia f insta ce, has mass f serf the ha d and mass f sers the ther It is prim co ern f th tat that middle class sh ld be dev loped, b t this can be done nly if the ta is an rgani ation lik the ne described here i.e. it ca be d nly by giving h ty t pheres f particula interests, ch re relat vely i dependent and by ppointing

[Hegel is thi king f hi own xperience in B varia ... See *Brief* ... *H gel* vol. I p 30. (Lasson).]

an army f fficials wh se personal arbitrariness is broken against such a th rized bodies Acti in c c dance with every s rights, and the hab t of ch cti is nseq ence f th terpose t fficald m which indepe dent and *self sub istent* bodies create.

76 *P gr ph 98*

Th constit tio must in and *by tself be* th fixed a d recognized grou d which th legislat re stands, and f this reaso it must n t first be c *structed.* Thus th constit t b t just as essen tially t *b om* t d ances d mat es This ad ance is an alt rati which is imperceptibl and which lacks the form of alt rati F exampl th wealth f th German princes and their families be gan by being priv t property b t then with ut any strugl pposit t was co erted int crown lands, i. int public property This cam bo t be cause th princes felt th eed f integrati g their possessi ns and demanded p perty guarantees f m th ir co try and Estates and these gu ra tees were intertwined th ch mod f stabilizing property th t t ceased t be t th sole disposal f the princes. An analogous case is that [in th H ly R man Empire] th Empero was f rmerly j dge and travelled th Empir circuit, and then wing t th purely s perficial results f cultural p ogress, external rea *sons mad it ecessary f him t d legat m* and m re f his j dicial functi ns t thers, with th result that th j dicial pow was transf rred from th perso f them narch t gr ps f j dges Hence th d ance f m stat f ffairs t th is tranquil in ppearance and unn ticed. In this way con tit tio cha ges l g period f tim into something quit diff rent f om what t was originally

77 *Par g ph 99*

The tw sides f th con tit tio bear espectively th rights d th serv ces f indi duals. Services re w almost tirely red ced to m ney payments and military serv ce is w alm t th nly personal ex cted. In th past, far m re claims w re mad directly man wn perso and he used t be called po f w k ccording t his bility In ur day th tat purchases what it req ires. This may t first ight seem an bstr ct, heartless, and dead tate f ffairs, and f th tate to be satisfied with indirect services m y also look like decadence in th tate B t th pri cipl f th modern tate requires that th wh l f an individual ctı ty hall be

hea ily taxed than an untalented B t waday respect f subjects freed m is p blicly recognized precisely in th f ct th t th stat lays h ld f man nly by that which is capable f being h ld.

78 *P gr ph 300*

Th pr posal t exclude members f th executive

[i.e. external goods. See P ragraph 9]

ture as a hieroglyph of the reason which reveals it self in actuality Everything to do with mere util ty externality and so forth must be eliminated from the philosophical treatment of the subject Now our ordinary ideas can quite well grasp the conception of the state as a self determining and completely sovere gn w ll as final decision What is more dif ficult is to apprehend this I will as a person To do so is not to say that the monarch may act capri ciously As a matter of fact he is bound by the con

be said that an organic articulated constitution was present even in the beautiful democracy of Athens and yet we cannot help noticin that the Greeks derived the r final decisions from the observa tion of quite exte nal phenomena such as oracles the entrails of sacrific al animals and the flight of b rds They treated nature as a power which in those ways re ealed and expressed what as good for men At that time self consciousness h d not yet advanced to the abstraction of subjectivity not even so far as to understand that when a decision is to be m de an I will must be p onounced by man himself T

this requirement is regarded as only external and ptional

71 *Paragraph 280*

It is often alleged against monarchy that it makes the welf re of the state dependent on chance for it is urged the monarch may be ill ed cated he may perhaps be unw o thy of the h ghest pos t n in the st te and it is s nseless that such a state of ffa rs should e st becau e it is supposed to be rational But all th s rests on a pre upposition which is nuga tory namely that everythi g d pends on the mon a ch s *pa ticular* ch acter I a c mpletely o gan ized st te it is only a question of the culminating point of f rmal dec sion (nd a natural b lwark

such th t the g ficant thing in t holder is not h s particular make up (Mon chy in this ense is ra tio l because it c rresp ds with the c ncept b t ince th s is ha d to grasp often fail to n t ce th ational ty of monarchy Monarchy m st be in herently t bl a d) h te er else the m na ch may have in addition t this powe f final decis is part a d parcel of his p ivate ch racter nd should be f no consequence Of cou s there m y be c r cumstances i which it is this private character al ne which has prominence b t in that eve t the state is either not fully developed or else is badly con

[The p ssag l pa theses t nsl ted f m Gans s th d ed t th y did t ppea i th fi t]

structed In a well organized monarchy the objec tive aspect belongs to law alone and the monarch s part is merely to set to the law the subjective I will

172 *Paragraph 81*

If we are to grasp the Idea of the monarch we cannot be content with saying that God has ap pointed kin s to rule over us since God has made everything even the worst of things. The poi t of vie v of utility does not get us very far either a d it is always possible to point out counterbala cin dis advantages Still less does it help to regard m n archy as a *posit ve* right That I should hold prop erty is necessary but my holding of this particular property is contingent and in the same way the right that there must be o e man at the head of af fairs seems contingent too if it is tre ted as abstract and as posited This right however is ine itably present both as a felt want and as a requirement of the situation Mona chs are not exactly distingui hed for bodily prow ess or intellectual gifts and yet m l l ons submit to their rule Now to say that me al low themselves to be ruled counter to their o n in terests ends and intentions is preposterous M n are not so stup d It is their need it is the in er mi ht of the Idea wh ch e en against wh t they appear to think const ains the to obed ence and ke ps them in that relat on

If then the mo arch comes on the sce e as the head and a part of the const tution we are compelled to hold that there is no constitutional identity be t ween a co que ed people and its prince A rebellion in a province co quered in war is a different th g f om a rising in a w ll organi ed state It is not aga n t their prince that the conquered are in rebel lion and they re comm tt g no crime aga nst the state because their conn xion with the r master is not a conne on within the Idea or one withi the inn necessity of the c st tution In such a ca e there is nly a contract no pol tical tie *Je e suis p s votre pri ce je su s vot e ma tre* N poleon re tort d to the envoys at Erfurt

173 *Pa agraph 82*

Pardon is the remiss n f punishment but it does not annul the law (*Recht*) O the co trary the law st nds and th p rdoned man remains a crimi n l as befor Pardon does not mea that he ha t comm tt d a crime This annulment f pun hment m y take pl c th o gh r l gi n since om thi g done may by spirit (*Geist*) be m de undone in sp nt But the power to acc mpl h th s on e rth r sides in the king s m j sty alo e a d must bel ng ol l to h s self-d termined decision

174 *Pa ag aph 90*

The point of special impo ta ce in the xecuti e is the d sion of functions The executi e is co cerned w th the tran ition from th uni ersal to the partic

[Wh N poleo met Tsa Al d t F f rt in 8 8 h w l ted by rep ese tat es f m y C ma tat Thi i f th m y st es f h ude nes that occa o]

nut and the individual, and its functions must be divided in accordance with the differences between its branches. The difficulty however is that these different branches meet again both the top and the bottom. The police and the judiciary ... run, move at right angles to one another but in each particular case they coincide again. The usual expedient adopted to meet this difficulty is to appoint Chancellor, Prime Minister or President, the Conseil des Ministres to unite control at the top. But the result of this is that once more everything must have its source in the Minister's power and the business of the state is, as we say, centralized. This entails the maximum simplification, speed, and efficiency in meeting state requirements. A system of this kind was introduced by the French revolutionaries, elaborated by Napoleon, and still exists in France today. On the other hand, France lacks Corporations and local government, i.e. associations wherein particular and universal interests meet. It is true that these associations won too great ... measure of self-subsistence in the Middle Ages, when they were states within states and obstinately persisted in behaving like independent corporate bodies. But while this should not be allowed to happen, we may none the less affirm that the proper strength of the state lies in these associations. In them the executive meets with legitimate interests which it must respect, and since the administration cannot be other than helpful to such interests, though it must also supervise them, the individual finds protection in the exercise of his rights and so links his private interest with the maintenance of the whole. For some time past organizations have been framed with a view to controlling these particular spheres from above, and effort has chiefly been expended on ... organizations, but, true, while the lower classes, the mass of the population, have been left more or less unorganized. And yet it is of the utmost importance that the masses should be organized, because only so do they become mighty and powerful. Otherwise they are nothing but a heap, an aggregate of atomic units. Only when the particular associations are organized members of the state are they possessed of legitimate power.

To Paragraph ...

The middle class, to which civil servants belong, is politically conscious and the one in which education is most prominent. For this reason it is also the pillar of the state so far as honesty and intelligence are concerned. A state without a middle class must therefore remain on a low level. Russia, for instance, has a mass of serfs on the one hand and a mass of rulers on the other. It is a prime concern of the state that a middle class should be developed, but this can be done only if the state is an organic unity like the one described here, i.e. it can be done only by giving authority to spheres of particular interests, which are relatively independent, and by appointing an army of officials whose personal arbitrariness is broken against such authorized bodies. Action in accordance with everyone's rights, and the habit of such action, is a consequence of the counterpoise to officialdom which independent and self-subsistent bodies create.

[Hegel is thinking of his own experience in Bavaria in ... See Briefe von und an Hegel, vol. i, ... (Lasson).]

To Paragraph ...

The constitution must in and by itself be the fixed and recognized ground on which the legislature stands, and for this reason it must not first be constructed. Thus the constitution is, but just as essentially it becomes, i.e. it advances and matures. This advance is an alteration which is imperceptible and which lacks the form of alteration. For example, the wealth of the German princes and their families began by being private property but then without any struggle or opposition it was converted into crown lands, i.e. into public property. This came about because the princes felt the need of integrating their possessions and demanded property guarantees from their country and Estates, and these guarantees were intertwined with such a mode of stabilizing property that it ceased to be at the sole disposal of the princes. An analogous case is that [in the Holy Roman Empire] the Emperor was formerly judge and traversed the Empire on circuit, and then, owing to the purely superficial results of cultural progress, external reasons made it necessary for him to delegate more and more of his judicial functions to others, with the result that the judicial power was transferred from the person of the monarch to groups of judges. Hence the advance from one state of affairs to another is tranquil in appearance and unnoticed. In this way a constitution changes over a long period of time into something quite different from what it was originally.

To Paragraph 299

The two sides of the constitution bear respectively on the rights and the services of individuals. Services are now almost entirely reduced to money payments, and military service is now almost the only personal one exacted. In the past, far more claims were made directly on a man's own person, and he used to be called upon for work according to his ability. In our day the state purchases what it requires. This may at first sight seem an abstract, heartless, and dead state of affairs, and for the state to be satisfied with indirect services may also look like decadence in the state. But the principle of the modern state requires that the whole of an individual's activity shall be mediated through his will. By means of money, however, the justice of equality can be achieved much more efficiently. Otherwise if assessment depended on concrete ability, a talented man would be more heavily taxed than an untalented one. But nowadays respect for subjective freedom is publicly recognized precisely in the fact that the state lays hold of a man only by that which is capable of being held.

To Paragraph 300

The provincial ... exclude members of the executive [i.e. executive posts. See Paragraph ...]

ture as a hieroglyph of the reason which reveals it self in actuality Everything to do with mere util ty

of the state as a self determ ning and completely sovereign w ll as final decision What is more dif ficult is to apprehend this I will as a person To do so is not to say that the monarch may act capri ciously As a matter of fact he is bound by the con crete deci ions of his counsellors and if the consti

was present even in the beaut ful democracy of Athens and yet v e cannot help noticin that the Greeks de ived their fin l decisions from the observa tion of quite exter al phenomena such as oracles the entrails of sacrificial animals and the flight of birds They treated nature as a pov er which in those ways revealed and expressed what was good for men At that time self consciousness had not yet advanced to the abstr ction of subjectivity not even so far as to understand th t when a decision is to be made an I will must be p onounced by man himself This I v ll constitutes the great difference between

this requirement is regarded as only e te nal and optional

17 *Pa g aph 280*

It is often all ged against monarchy that it makes the welfare of the state depe dent on chance for it is urged the monarch may be ill ed cated he may p h ps b unwo thy of the highest position in the state and it is senseless th t such a state of aff rs should exist because it is suppos d to be rational But all this rests on a presupposition which is nuga *tory namely that everyth g d pends on the mo a ch s pa ticula* character In a compl tely organ ized state it is o ly a quest n of the culm at ng point f formal dec sion (and n tural bulwa k ag st passion It is w o g th efore to d mand ob jective q l t es in a monarch) he has only to say yes and dot the i b cau e the th o e should be such that th s gnific nt th g in its holder is ot his p rtic lar m k up (Monarchy in this ense is ra tio l because it correspo ds w th th co cept b t s ce th s is h rd to g a p e often fa l t notice the ation l ty of m narchy Monarchy must be in he ently stable and) whatever else the mona ch m y ha e in add tio to th s power of f al decisi n is

[Th pa sag I p th ses are transl ted f m G ns th rd editi th y d d not ppe r i th first.]

structed In a well organized monarchy the objec tive a pect belongs to law alone and the monarch s part is merely to set to the law the subjective I will

172 *Pa agraph 81*

If we are to grasp the Idea of the monarch we cannot be content with saying that God has ap po nted kin s to rule over us since God has made everything even the worst of th ngs The point of view of utility does not get us very far either and it is always possible to point out counterbal ncing dis advantages Still less does it help to regard mon archy as a *posit ve* right That I should hold prop- erty i necessary but my holdin of thi particular property is contingent a d in the same way the right that the e must be one man at the he d of af fairs seems cont gent too if it is treated as ab tract and as pos ted Thi right however is inevitably present both as a felt want and as a requ r ment of the s tuation Monarchs are not e actly di t ngui hed fo bodily prowess or intellectual gifts a d yet mil l ons submit to their rule Now to say that men al low themselves to be ruled co nter to their own in te ests ends and intentions is preposterou Me are not so tupid It is their need it is the inner might of the Idea wh ch even agai st what they appear to th k constra ns them to obed ence and keeps them in that relation

If then the monarch comes on the scene as the head and a part of the constitut on we are compelled to hold that there is no con titutional id nt ty be t een a co que ed people and its prince A rebellion i a province conquered in war is a diffe ent th g from a rising in a well organized state It is not ag st their p ce th t the conquered are in rebel lion and they are committing no crime against the state because their c ne on with their master is not a co nexion within the Idea or o within the inner n ce sity of th co st tution In s ch a case the e is only a contract no pol tical tie *Je e suis pas votre prince je s vot e ma tre* Napoleon re to ted to the envoys at Erfurt

173 *Pa ag aph 282*

P rdon i the m ss on of p nishment but it does not l the law (*Recht*) On the co trary the law stands a d the pardo ed man remains a crim nal as b fore Pardon d es n t m an th t he ha not c mm tted a c me This annulme t of pun hm nt m y t ke pl ce th o gh rel gi n s ce somethi g do m y by sp rit (*Geist*) be made undone i sp rit But th p wer to accompl h this on earth resides in the k g s majesty alone d mu t belo g ol ly to his self-d termined decision

1 4 *Pa ag aph 290*

The po nt f special import nce in the e ecut e is the d vi ion of funct o The e ecuti e is co cerned with the tra iti from the uni ersal to the p rtic

[Wh N poleo met T Al d t E f rt l 8 8 h w lted by ep ese tati es f m y Ge m states Th I f th m y t les f Hi de es th t occasi]

becomes clear that ma castl building t his fire side with his f and his fri ds is thing whil at happens in great Assembly wh re o shrewd idea dev urs an ther is somethin quit diff re t.

ly m re fixed and ssified. B t f health th nity f th body is req ired and if its parts harden them se es int exclusi e ess that is death. Perpetual peace is ft d ocated as an deal t wards wh ch

t ry

86 Par gr ph 3 8

Public opi co tains all kinds f fals t and truth but takes great man t find th truth in t. Th great man f th age th wh can put in to w rds th wil f his tell his what ts ill is, and accompl h t Wh h does is th heart d t essence f his ge h ctualizes his e Th man wh la ks sense en h t despise public pin io expressed in gossip will never d anything great.

7 Par gr ph 320

bjec vity has bee t ea ed ce lready [Pa agraphs 79 ff] as th pe f th stat as th crown Its ther spect b rary manifestatio in public opinion, ts most rmal mod f ppearance The subjecti f the m narch is inh rently bstract, but t h uld be something cret and so be th ideal which di ses tself th wh le stat Th stat t peace is that in which all bra ches f civil lif bs t b t they possess their subsistence outside and alo side an ther as som thin which issues from th Idea f t wh le Th f ct tha it so issues mu t lso com in ppeara ce as t e ideality f th wh le

8 Paragr ph 3 4

In peace ci il lif co tinually expa ds all ts departm ts wall themselves in nd in th lo run men stagna Thei idiosyncra ies bec me co m al

[Read Wer w Z Sudien 90]

89 Par g ph 327

Th military cla is that ni ersal class which is charged with th d fence f t e tat d s d ty is t mak real th deal t implicit with tself i.e t sacrifice tself C urage to be sure is m tif rm Th mettle f animal brigand, cour e f th sak f h th courage f kni t, these re t tru f rms f co rage. The tru co rage f ci ized nations is readiness f sacrifice in th service f th tat so that th indi dual unts as ly m ngst man Th important thing h re is t personal m ttl b t aligning eself with the ni ersal. I India five h dred men co quered t enty t sand wh w t wards but wh nly la ked this dispositi t w k in close co-operati with t ers.

90 Par gr ph 329

In lm st all Europea untries th indi dual head f th tat is th m narch d f eign affairs are his busines Wh re th Estates ha constit ti nal pow s, th questi ma arise wh the they

[1815 be ween Rus Austria and Prussia f rmed t e i iativ f Tsa Alexande the professed endeavou to regul te t eir re onduct by the princ ples f t e Gospel]

[I 7 Clive led five hu red men Arcot and t ere held crumblin f rtress ag th usand Indians w th en g f French roops A Pla sey h bro g 3 000 men in ction f whom o ly re E ropea ainst f rce f 00 f ry and 000 ca alry a d routed his oppo ts (Fishe H ory f Eur pe London, 36 p 76)]

from legislative bodies as for instance the Constituent Assembly did is a consequence of false views of the state In England ministers must be members of parl ament and this is right because executive

posing that the powers though independent are to check one another This independence however destroys the unity of the state and unity is the chief of all desiderata

179 Paragraph 301

The attitude of the execut e to the Estates should not be es e t ally hostile and a belief in the necessity of such hostil ty is a sad mistake The executive is not a party standing over against another party in such a way that each has continually to steal a march n the other and wrest something from the othe If such a situation ari es in the state that is a m sfortune but it cannot be c lled health The ta s voted by the Estates moreover are not to be reg rd

fact that it th ough them that the state enters the subjective consc ousness of the people and that the people beg s to participate in the state

180 Pa ag aph 302

The constitution i essentially a system of mediation In despotisms here there are only rulers and people the people is effective if at all only as a m ss destructive of the organization of the state When the multitude enters the state s ne of its org s it achieves its int ests by legal and o derly means But if these m ns are lacking the vo ce of the masses is al vays for violence He c in despot c states th de pot always indulges the mob d keeps h s wrath fo his e tourage For the same reason too th mob i such states pays o ly a fev taxes Ta es ri e in a const tutionally govern d state s mply ow i g to the people s own consciousne s In no country are so many taxes paid as in England

181 P g aph 306

Th s cl ss has a volition of a mor independe t ch racter O the whole the cl s of l nd d pr perty w rs s di d d t ed t d sect o and a sec t on of farme s But over aga nst both of th e orts of people there stands the bu ess class h ch is dependent on ne ds and concentrated their satisfac

mogeniture is grou ded o the f ct that the st te should be ble to reckon not on the b r possibility

[I F] [Mo tesq s See *The Sp t of Lax* xi 6]

of political inclinations but on something necessary Now an inclination for pol tics is of course not bourd up with wealth but there is a relatively necessary connexion between the two because a man with in dependent means is not hemmed in by external cir cumstances and so there is nothing to prevent him from enterirg pol tics and working for the state Where political institutions are lackin ho ever the foundation and e couragement of primogeniture is nothing but a chain on the freedom of pri ate rights and either political mean ng must be given to it or else it will in due course disappear

182 Pa ag aph 309

The introduction of representat on implies that consent is to be given not directly by all but only by plenipotentiaries since under a representat e system the i di idual *qua* infinite person no lon er comes into the picture Representation is grounded on trust but trusting another is someth ng different from giving my vote myself in my o n person l ca pacity Hence majority vot g runs counter to the principle th t I should be pe sonally present in any thing wh ch is to be obl gatory on me We have con fidence in a man when we take him to be a ma of discretion v ho will mana e our affairs conscientious ly and to the best of his kno ledge just as if they were hi own Th s the p c ple of the i di idual subjective will d sapp a s si ce confidence is given to a thing to a man s pr nciples or his demea our or his conduct or his concrete me tality generally The important thing then is th t a member of the Estates shall have a character i sight and v ill ade quate to his task of conce trating on public bu ness In other o ds th i no quest on of an in d vid al s talk ng as an abstract s gle person Th point is rather that his inte ests are made good in an ass mbly whose b ess s ith the gener l i terest The electors requi e a guarant e that their d p ty will further and secure this g neral interest

183 Pa agraph 315

Estates Assembl es open t the public are a great spect cle and an excellent educat n for the citizen and it is f m th m th t the people l arns be t how to r cognize the true cha act f its int rests The id s ally dominant is that e ery e knows fr m the sta t wh t is best for the t te and that the As sembly deb t is m e d scussi n f this kno l edge In f ct ho e the precise c trary is the t uth It is h e that there first b gin to de lop th v tues abilit es dexter ties wh ch h ve to s rve as e mples to the publ c Of c se s ch d bates are i ksome to mi isters who h e t eq p th mselves w th v t and eloquence t m t the rit ci ms there d rected aga nst them Non th less p blicity h e is th chi f means f educati g th p bl c in nati n al affairs A n ti n wh ch has uch p bl c sittin s is far m vitally relat d t the st t th one wh ch has no E tates A sembly r e whi h meets in pri vate It is only because th ery t p l mad known p bl cly i th s w y that th two Houses keep pace w th the ad nc f p bl c op i n and it then

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should not decide on war and peace and in any case they have their influence on the que tion par ticularly in connexion with ways and means In En land for example no unpopular war can be waged If however it is suppo ed that monarchs and cab nets are more sub ect t n

y o t t be a prey to excitement or be car ried away by pas on to a greater extent than their leaders. In E gland the whole nation has frequently p es ed for war and to a certain extent compelled ministers to w g it The popularity of Pitt was due to hi knowing how to fall in with what the people wanted at the time It was only later that the peo ple cooled down and so b gan to refl ct that the war was useless and unnecessary and had been under taken without counting the cost Moreover a state stands in relation not with one other state only but with many And the complexit es of their rela tions become so delicate that they can be handled only by the head of the state

191 *Pa ag apl 330*

States are not private persons but completely au tonomous tot l

n bee i made to regard the state as a person with the rights of persons and as a moral entity But the n

o g t also to be r ght in pri ciple but in mundane affairs a principle ought al o to have power Now since there is no power in existence which decides in face of the state what is ri ht in princ ple and ac tual zes this deci ion it follows that so far as inter nat onal relations are concerned we can ne er get beyond an ought The r lation between states is a relation between autonomous entities wh ch make mutual stipulations but which at the same time are superior to these stipulations

192 *P ag aph 331*

When Napoleon d h f n

form o

tion as l

impl ed was imply the thi g s *st ength* whi h car ries with it without any verbal expression the guar antee of recognition

193 *Pa ag aph 338*

Modern wars a e therefore humanely waged and person is not et over against pers n in hatred At most pers nal nmities appear in the vangu rd but in the ma n body of the army hostil ty is something vague and g ves place to each side s respect for the duty of the other

194 *Pa ag aph 339*

The Europe n peoples form a family in accord nce with the universal principle underly g their legal codes their customs and their civilizat This princ ple has modified the r i ternat onal c d ct cc rd

mi d

[793]
[797]

[1797 at the close of N poleo s first Italian cam p gn]

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INTRODUCTION

The subject of this course of Lectures is the Philosophical History of the World. And by this must be understood, not a collection of general observations respecting it, suggested by the study of its records, and proposed to be illustrated by its facts, but Universal History itself.[1] To gain a clear idea, at the outset, of the nature of our task, it seems necessary to begin with an examination of the other methods of treating History. The various methods may be ranged under three heads:

I. Original History.
II. Reflective History.
III. Philosophical History.

I.

Of the first kind, the mention of one or two distinguished names will furnish a definite type. To this category belong Herodotus, Thucydides, and other historians of the same order, whose descriptions are for the most part limited to deeds, events, and states of society, which they had before their eyes, and whose spirit they shared. They simply transferred what was passing in the world around them, to the realm of representative intellect. An external phenomenon is thus translated into an internal conception. In the same way the poet operates upon the material supplied him by his emotions; projecting it into an image for the conceptive faculty. These original historians did, it is true, find statements and narratives of other men ready to hand. One person cannot be an eye or ear witness of everything. But they make use of such aids only as the poet does of that heritage of an already-formed language, to which he owes so much: merely as an ingredient. Historiographers bind together the fleeting elements of story, and treasure them up for immortality in the Temple of Mnemosyne. Legends, Ballad-stories, Traditions must be excluded from such original history. These are but dim and hazy forms of historical apprehension, and therefore belong to nations whose intelligence is but half awakened. Here, on the contrary, we have to do with people fully conscious of what they were and what they were about. The domain of reality—actually seen, or capable of being so—affords a very different basis in point of firmness from that fugitive and shadowy element, in which were engendered those legends and poetic dreams whose historical prestige vanishes, as soon as nations have attained a mature individuality.

Such original historians, then, change the events, the deeds, and the states of society with which they are conversant, into an object for the conceptive faculty. The narratives they leave us cannot, therefore, be very comprehensive in their range. Herodotus, Thucydides, Guicciardini, may be taken as fair samples of the class in this respect. What is present and living in their environment, is their proper material. The influences that have formed the writer are identical with those which have moulded the events that constitute the matter of his story. The author's spirit, and that of the actions he narrates, is one and the same. He describes scenes in which he himself has been an actor, or at any rate an interested spectator. It is short periods of time, individual shapes of persons and occurrences, single, unreflected traits, of which he makes his picture. And his aim is nothing more than the presentation to posterity of an image of events as clear as that which he himself possessed in virtue of personal observation, or life-like descriptions. Reflections are none of his business, for he lives in the spirit of his subject; he has not attained an elevation above it. If, as in Caesar's case, he belongs to the exalted rank of generals or statesmen, it is the prosecution of *his own aims* that constitutes the history.

Such speeches as we find in Thucydides (for example), of which we can positively assert that they are not *bona fide* reports, would seem to make against our statement that a historian of his class presents us no reflected picture; that persons and people appear in his works *in propria persona*. Speeches, it must be allowed, are veritable

[1] I cannot mention any work that will serve as compendium of the course, but I may remark that in my *Philosophy of Right*, §§ 341–360, I have already given the definition of such a universal history as it is proposed to develop, and a syllabus of the chief elements or periods into which it naturally divides itself.

table transactions in the human commonwealth in fact very gravely influential transactions It is indeed often said Such and such things are only talk by way of demonstrating their harmlessness That for which this excuse is brought may be mere talk and talk enjoys the important privilege of being harmless But addresses of peoples to peoples or orations directed to nations and to princes are integrant constituents of hi tory Granted that such orations as those of Pericles—that most profoundly accomplished genuine noble statesman—were elaborated by Thucydides it must yet be maintained that they were not foreign to the character of the speaker In the orations in question these men proclaim the maxims adopted by their countrymen and which formed their own character they record their views of their political relations and of their moral and spiritual nature and the principles of *their designs and conduct* What the historian puts into their mouths is no upposititious system of ideas but an uncorrupted transcript of their intellectual and moral habitudes

Of these historians whom we must make thoroughly our own with whom we must linger long if we would live with their respective nations and enter deeply into their spirit of these historians to whose pages we may turn not for the purposes of erudition merely but with a view to deep and genuine enjoyment there are fewer than might be imagined Herodotus the Father *i e* the Founder of History and Thucydides have been already mentioned Xenophon s account of the retreat of the Ten Thousand is a work equally original Cæsar s *Commentaries* is the simple masterpiece of a mighty spirit Among the ancients these annalists were necessarily great captains and statesmen In the Middle Ages if we except the bishops who were placed in the very centre of the political world the monks monopolize this category as naive chroniclers who were as decidedly isolated from active life as those elder annalists had been connected with it In modern times the relations are entirely altered Our culture is essentially comprehensive and immediately changes all events into historical representations Belonging to the class in question we have vivid simple clear narrations—especially of military transactions —which might fairly take their place with those of mark though relating to affairs of little no e They not unfrequently contain a large propor tion of anecdotal matter so that the ground they occupy is narrow and trivial Yet they are often veritable masterpieces in history as tho e of Cardinal de Retz which in fact trench on a larger historical field In Germany such masters are rare Frederick the Great (*Histoire de mon temps*) is an illustrious exception Writers of this order must occupy an elevated position. Only from such a position is it possible to take an extensive view of affairs—to see everything This is out of the question for him who from below merely gets a glimpse of the great world through a miserable cranny

II

The second kind of history we may call the *reflective* It is history whose mode of repre en *tation is not really confined by the* limits of the time to which it relates but who e spirit tran scends the present In this second order a strongly marked variety of species may be distinguished.

1 It is the aim of the investigator to gain a view

material is the main point The workman approaches his task with *his own* pirit a pirit distinct from that of the element he is to manipulate Here a very important consideration will be the principles to which the author refers the bearing and motives of the actions and events which he describes and those which determine the form of his narrative Among us Germans this reflective treatment and the di play of ingenuity which it occasions assume a manifold variety of phr es Every writer of history proposes to himself an original method The English and French confess to general principles of historical composition Their standpoint is more that of cosmopolitan or of national culture

ing when it has no farther aim than to pre ent the annals of a country complete Such compila

he works on Mul well per formed highly meritorious Among the best of the kind may be reckoned such annalists as ap proach those of the first class who give so vivid a transcript of events that the reader may well

— r to c ntempo anes and

h atu e de of ead eed such reflections are truly inte esui g e ven wn s o vn spirit Moral

f b ttles in ny period and whose ui u d with the want

me nations are wo t to be emp y mended to the teaching whi h expe e ce offers in history But what experience and hi tory t ach is this—that peoples a d gover me ts never ha e

style in which Livy use expands a d abridg s his a ls in th p riods of which P lyb us acc unt h be p served. Johannes von Mul le h s gi en a st ff formal p da t c a pect to his hist ry in the end a or to remain fa thf l in his port ture to the times he desc ibes We mu hp ef the rr t ve wefi dinoldTs h dy All s mo e na ve d natu al th t appea s in the ga b of a fi tit o s and affe t d a chaism

Ah t ry whi h p rest tra e e long periods f time o t be e al m st ind d for g th ttempt t gi indi dual rep sent t o s of the past s t ct lly exi ted It mu t fo e horten t p tures by abst t ns and th s n l des not m ly th mi o f events and deeds b t what e inv lved i th fact th t thought is ft ll th most trencha t ep tomist A b ttl great t ry a ege no lo ge ma ta t original p p rti s but is put off th a b e mentio Wh n Livy e g t lls us f the wars th the Volsc we sometimes h e th bri f an ounceme t This year war was carri d on with th Volsci

2 A d pe e of reflect ve hist ry s h t may ll the p gm t cal Whe we h

ri us b t th d wh ch pervades them— the d epe mport a d nnect —iso This t kes th urre out f th at g ry f the pa t d m kes t v rt lly p t Pragm tic l

p essu e of great events a general princ ple gi es help It i useless to re e t to s m l r cir m stan es in the past The pall d shades of mem ory struggle in vain with the life and freed m of the present Lo ked at in this l ght noth ng c be sh ll e than the oft r peated appe l to Greek and Roman e mples duri g the Fr nch Revolution N th ng s more diverse than the g us of those n t ns and that of ou time Johannes von M ller in his *U versal Hist y* a also in his *H sto y of Swit la d* had s ch m l a ms in ew He des gned to p epa e body of political doctrines for the instructio of p e governme ts a d peoples (he formed a spec al oll ction of doctri e and reflec t o s—freq ently gi ing s n his cor e p d e ce th exa t number of apophthegms whi h he had c mp led n a week) but h cannot e k th pa t of h lab a amo g th be t that he mpl sh d. It i ly a tho o gh l be l comp ehen e view of historical relat o s (such g s we find in Mo t sq us *E prit d s l s*) that can g ve truth and interest to r flec tio s f th d r O e reflect e history the fo supersedes another The materials e pat e t to ry w iter e ch is lik ly enough to

readers have often returned with pleasure to a narrative adopting no particular point of view These certainly have their value but for the most part they offer only material for history We Germans are content with such The French on the other hand display great genius in reanimating bygone times and in bringing the past to bear upon the present condition of things

3 The third form of reflective history is the *critical* This deserves mention as pre eminently the mode of treating history now current in Germany It is not history itself that is here presented We might more properly designate it as a history of history a criticism of historical narratives and an investigation of their truth and credibility Its peculiarity in point of fact and of intention consists in the acuteness with which the writer extorts something from the records which was not in the matters recorded The French have given us much that is profound and judicious in this class of composition but they have not endeavored to pass a merely critical procedure for substantial history They have duly presented their judgments in the form of critical treatises Among us the so called higher criticism which reigns supreme in the domain of philology has also taken possession of our historical literature This higher criticism has been the pretext for introducing all the anti historical monstrosities that a vain imagination could suggest Here we have the other method of making the past a living reality putting subjective fancies in the place of historical data fancies whose merit is measured by their boldness that is the scantiness of the particulars on which they are based and the peremptoriness with which they contravene the best established facts of history

4 The last species of reflective history announces its fragmentary character on the very face of it It adopts an abstract position yet since it takes general points of view (*e g* as the history of art of law of religion) it forms a transition to the Philosophical Hi tory of the World In our time this form of the history of ideas has been more developed and brought into notice Such branches of national life stand in close relation to the entire complex of a people s annals and the question of chief impor

nomena (art law religion etc) appear as purely accidental national peculiarities It must be remarked that when reflective history has advanced to the adoption of general points of view if the position taken is a true one these are found to constitute—not a merely external thread a superficial series—but are the inward gui g soul of the occurrences and actions that occupy a nation s annals For like the soul-conductor Mercury the idea is in truth the leader of peoples and of the world and spirit the rational and necessitated will of that conductor is and has been the director of the events of the world s history To become acquainted with pirit in this its office of guidance is the object of our present undertaking This brings us to

III

The third kind of history—the *philosophical* No explanation was needed of the two previous classes *their nature was self evident* It is otherwise with this last which certainly seems to require an exposition or justification The most general definition that can be given is that the philosophy of history means nothing but the *thoughtful consideration of it* Thought is indeed essential to humanity It is this that distinguishes us from the brutes In sensation cognition and intellection in our instincts and volitions as far as they are truly human thought is an invariable element To insist upon thought in this connection with history may however appear unsatisfactory In this science it would seem as if thought must be subordinate to what i given to the realities of fact that this is its ba is and guide while philosophy dwells in the region of elf produced ideas without reference to actuality Approaching history thus prepossessed speculation might be expected to treat it as a mere passive material and so far from leaving it in its native truth to force it into conformity with a tyrannous idea and to construe it as the phrase is *a priori* But as it is the business of history simply to adopt into its records what is and has been actual occurrences and transactions and since it remains true to its character in proportion as it strictly adheres to its data we seem to have in philosophy a process diametrically opposed to that of the historiographer This contradiction and the charge con equently brought against speculation shall be explained and confuted We do not however propo e to correct the innumerable special misrepre entations trite or novel that are current re pecting the aims the interests and the modes of treating

conception of *reason* that reason is the sover

em f the world that the history f the wo ld, therefore presents us with a rational process. This c ction and intuition is a hypothesis in the domain f history as such. In tha f philosophy it is no hypothesis. It is there proved b spec ulative cognition, that reason—and this term may here suff ce us without investigating the re lation sustained b the universe t the divine being—is su stanc well as in fin e power its own in fin e m ter underlying all the natural and spiritual life which it originates, as also the in fin form—tha which sets this material in m ion. On the one hand, reason is the *substance* f the universe; viz. that by which and in which all reality has its being and subsistence. On the other hand, it is the *in fin e energy* of the universe; since reason is not so powerful as to be incapa f producing anything but a mere ideal, mere intention, having its place outside reality, nobody knows where; something separate and abstract in the heads f certain human beings. It is *the infinite com lex f things*, their entire — w

which t may obtain its support and the objects its activity. It supplies its own nourishment and is the object f its own operations. While it is exclusively its own basis f ex stence and b so ute final aim, it is also the energizing power realizing this aim; developing it not only in the phenomena of the natural but also f the spiritual universe—the history f the wo ld. That this "Idea" reason is t rue th eternal, the ab so ute *powerful* essence; that it reveals itself in the world, and that in that w ld nothing else is revealed but this and its honour and glory—is t thesis which, as we have said, has been proved in philosophy, and is here regarded as demonstrated.

In t ose m hearers who ar t equa ed with philosophy, I may fairly presume at least the existence f *belief* in reason, a desire, thirst f acquaintance with it, in entering upon this course f lectures. It is in fact the wish f r rational insight, not the ambition to amass m heap f acquirements, that should be presupposed in every case s possessing the mind f the learner in the study f science. If the clear idea f reason is not already developed in our minds in beginning the study f universal history w ould at least have the firm, unconquerable faith that reason does exist there and that the world f intellect and conscious volition is ot abandoned t chance, b must

show itself in the l of the self-cognizant idea. Yet I am not obliged to make an such preliminary demand upon your faith. What I have said thus provisionally and what I shall have further to say, even in reference to *our* branch of science, n t to be regarded as hypothetical but as a summary ew of the whole; the *result of the investigation* we are about to pursue; a result which happens to be known to *me*, because I have traversed the entire field. It is only an inference from the history f the wo ld, that its development has been a rational process; that the hist ry in question has constituted the rational necessary course f the world-spirit—that spirit whose nature is always one and the same, but which unfolds this its one nature in the phenomena of the world's existence. This must, as befo stated, present itself as the ultimate *result* of history. But we have to take the latter as t is. We must proceed historically—empirically. Among other precautions we must take care ot to be misled by professed historians who (especially among the Germans, and enjoying a considerable authority) are chargeable with the very procedure of which they accuse the philosopher—introducing *a priori* inventions of their own into the records of the past. It is, fo example, a widely current fiction that there was an original primeval people taught immediately by God, endowed with perfect insight and wisdom, possessing a thorough knowledge f all natural laws and spiritual truth; that there have been such or such sacerdotal peoples; or t mention a more specific averment, that there was a Roman epos, from which the Roman historians derived the early annals f their city, etc. Authorities of this kind we leave t those talented historians by profession, among whom (in Germany at least) their use is not uncommon. We might then announce it as the first condition to be observed, that we should faithfully adopt all that is historical. But in such general expressions themselves as "faithfully" and "adopt" lies the ambiguity. Even the ordinary, the "impartial" historiographer, who believes and professes that he maintains a simply receptive attitude; surrendering himself only to the data supplied him—is by no means passive as regards the exercise of his thinking powers. He brings his categories with him, and sees the phenomena presented to his mental vision, exclusively through these media. And, especially in all that pretends to the name of science, it is indispensable that reason should not sleep—that reflection should be in full play. To him who looks upon the world rationally, the

world in its turn presents a rational aspect The relation is mutual But the various exercises of reflection the different points of view the modes of deciding the simple question of the relative importance of events (the first category that occupies the attention of the historian) do not belong to this place

I will only mention two phases and points of view that concern the generally diffused conviction that reason has ruled and is still ruling in the world and consequently in the world s history because they give us at the same time an opportunity for more closely investigating the question that presents the greatest difficulty and for indicating a branch of the subject which will have to be enlarged on in the sequel

I One of these points is that passage in history which informs us that the Greek Anaxagoras was the first to enunciate the doctrine that ı understandin generally or reason governs the world It is not intelligence as self conscious reason—not a spirit as such that is meant and we must clearly distinguish these from each other The movement of the solar system takes place according to unchangeable laws These laws are reason implicit in the phenomena in question But neither the sun nor the planets which revolve around it according to these laws can be said to have any consciousness of them

A thought of this kind—that nature is an em

such conceptions and find nothing extraordinary in them And I have mentioned this extraordinary occurrence partly to show how history teaches that ideas of this kind which may seem trivial to us have not always been in the world that on the contrary such a thou ht makes an epoch in the annals of human intelligence Aristotle says of Anaxagoras as the originator of the thought in question that he appeared as a sober man among the drunken Socrates adopted the doctrine from Anaxagoras and it forthwith became the ruling idea in philosophy—except in the school of Epicurus who ascribed all events to chance I was delighted with the sentiment —Plato makes Socrates say— and hoped I had found a teacher who would show me nature in harmony with reason who would demonstrate in each particular phenomenon its specif c aim and in the whole the grand object of the universe I would not have surrendered this hope for a great deal But how very much was I disappointed when having zealously applied myself to the writings of Anaxagoras I found that he

adduces only external causes such as atmosphere ether water and the like It is evident that the defect which Socrates complains of respecting Anaxagoras doctrine does not concern the principle itself but the shortcoming of the propounder in applying it to nature in the concrete Nature is not deduced from that principle the latter remains in fact a mere abstraction inasmuch as the former is not comprehended and exhibited as a development of it—an organization produced by and from rea on I wish at the very outset to call your attention to the important difference between a conception a principle a truth limited to an *abstract* form and its determinate application and concrete development This distinction affects the whole fabric of philosophy and amon other bearings of it there is one to which we shall have to revert at the close of our view of universal history in investigating the aspect of political affairs in the most recent period

We have next to notice the rise of this idea—that reason directs the world—in connection with a further application of it well known to us—in the form ıı of the *religious truth* that the world is not abandoned to chance and external contingent cau es but that a *Pro idence* controls it I stated above that I would not make a demand on your faith in regard to the principle announced Yet I might appeal to your belief in it *in this religious aspect* if as a general rule the nature of philosophical science allowed it to attach authority to presuppositions To put it in another shape—this appeal is forbidden because the science of which we have to treat proposes itself to furnish the proof (not indeed of the abstract *truth* of the doctrine but) of its correctness as compared with facts The truth then that a Providence (that of God) presides over the events of the world—con ort with the proposition in question for *Divine* Providence is wisdom endowed with an infinite power which realizes its aim ıı the ab olute rational design of the world Reason is thou ht conditioning it elf with perfect freedom But a difference rather a contradiction will manifest itself between this belief and our principle ju t as was the case in reference to the demand made by Socrates in the case of Anaxagoras d ctum For that belief is similarly indefinite it is what

tory is to depict the passions of mankind the genius the active powers that play their part on

the gr at stage and the prov dentially deter mined process which the e xhibit co st t t s what i ge erally call d the 'plan of p o dence \ t t is this ery plan whi h s supposed t b oncealed from ur iew wh ch it is d m d p esumptio e en t wish to r cognize

apply hi ge eral princ ple to th c t t d d ce the latt r from the f rme It was — — ook the first step i omp ehend

has unexpectedly come to an indi dual in great perpl t d d. But the instan es of p d tual des gn a e f a lim ted kind d c m th mpli hment of oth g m r tha th des es f the ind dual in q est on B t in the history f the wo ld the *nd i d Is* w h e t d with *p ples* t taliti that tates We cann t the ef e be atisfied with what w m y c ll thi peddling w of p denc t whi h the bel f alluded t limits *ts lf Equ lly unsatisf ct ry* the m ly ab tra t defi ed beli f in a p o de ce when that beli f is t b ought t bea up th de tails f the p oces wh h t c du ts. On the trary ur m t de must be di ected t th gniti f the ways of P d ce th mean t u e d the hi torical phen men in wh h t ma fest ts lf d we must show th tio th th ge ral pri cipl bo e ment d. B t in t ng th e ognit f the pl f D in P den gen lly I ha e impl citly t h d upo p minent q t n of th day that f th po b lity f kn wing God th inc p bli p nion has ceased t ll w t to be matt f *qi tion* th *doc tri* th t t is impos bl t kn w God. I di ect tra ent on f wh t is mmanded H ly S ript s the highest duty—that w sh uld t m ly love b t *k ow* God—th p eval t dogma in l es th denial f what is the e said that t is th p rit (*der Geist*)

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cha acterize t find in this false po t on p ustificat n and the p ous modesty which puts

betwee our thes s—that reaso governs u has go rned the wo ld— d the question of the po s'b l ty of a k owledge of God ch efly that I m ght ot lose the opportunity of m ti ni g the f imputati n against philosophy f be ng shy of

th case th fact is that i rec nt times philoso phy has been obliged to d fend the domain of re ligion against the ttacks of se eral theological systems In the Christia rel gion God has e aled H ms lf that is H h s g en us to under

th kn wledg *of Him* and who reg d this knowledg f God as th o ly valuabl posses s o That de el pment of the thinking sp rit which h esulted f om the revel tion of the D vin B g as it riginal bas s must ultimately d nce to the *tell ctual* comprehens o of what w p se ted in the fi st instance to *feel g a d maginat on Th* time must e entually c me fo underst ding that ri h p d ct of ac t eas which th h t ry f th world offers t us It wa f awh le the fashi n t p f s dmiration fo th w d m of God as displ yed in animals plants and is lated c urre es B t f t be allowed that p o idence manifests ts lf h bj ts d f rm f exi tence why not ls in uni e sal history? This is d em d too great m tter to be th reg ded. But divine wi d m *i.e* rea is o e and the same in the great s in th little and we must t imagi e G d t be too weak t e c Hi w dom on th grand scal Ou intelle tual stri ing aims

at realizing the conviction that what was *intended* by eternal wisdom is actually *accomplished* in the domain of existent active spirit as well as in that of mere nature Our mode of treating the subject is in this aspect a *theodicæa*—a justification of the ways of God—which Leibnitz attempted metaphysically in his method i e in indefinite abstract categories—so that the ill that is found in the world may be comprehended and the thinking spirit reconciled with the fact of the existence of evil Indeed nowhere is such a harmonizing view more pressingly demanded than in universal history and it can be attained only by recognizing the *positive* existence in which that negative element is a subordinate and vanquished nullity On the one hand the ultimate design of the world must be perceived and on the other hand the fact that this design has been actually realized in it and that evil has not been able permane tly a assert a com

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considered in reference to the world is identical with the question *what is the ultimate design of the world?* And the expression implies that that design is destined to be realized Two points of consideration suggest themselves first the *import* of this design—its abstract definition and secondly its *realization*

It must be observed at the outset that the phenomenon we investigate—universal history—belongs to the realm of *spirit* The term *world* includes both physical and psychical nature Physical nature also plays its part in the world s history and attention will have to be paid to the fundamental natural relations thus involved But spirit and the course of its development is our substantial object Our task does not require us to contemplate nature as a rational system in itself though in its own proper domain it proves itself such but simply in its relation to *spirit* On the stage on which we are observing it—universal history—spirit displays itself in its most concrete real

y embodies) we mu t premise some abstract characteristics of the *nature of spirit* Such an explanation however cannot be given here under any other form than that of bare assertion The present is not the occasion for unfolding the idea of spirit speculatively for whatever has a place in an introduction must as already observed

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We have therefore to mention here

(1) The abstract characteristics of the nature of spirit
(2) What means spirit uses in order to realize its idea
(3) Lastly we must consider the shape which the perfect embodiment of spirit a sumes—the state

(1) The nature of spirit may be understood by a glance at its direct opposite—*matter* As the essence of matter is gravity so on the other hand we may affirm that the substance the essence of spirit is freedom All will readily assent to the doctrine that spirit among other properties is also endowed with freedom but philosophy teaches that all the qualities of pirit exist only through freedom that all are but means for attaining freedom that all seek and produce this and this alone It is a result of speculative philosophy that freedom is the sole truth of spirit Matter possesses gravity in virtue of its tendency toward a central point It is essentially composite consisting of parts that *exclude* each other It seeks its unity and therefore exhibits itself as self destructive as verging toward its opposite If it could attain this it would be matter no longer it would have perished It strives after the realization of its idea for in unity it exists *ideally* Spirit on the contrary may be definedas that which has its centre in itself It has not a unity outside itself but has already found it it exists *in* and *with itself* Matter has is es
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to some ing else which I am not I cannot exist independently of something external I am free on the contrary when my existence depends upon myself This self contained existence of spirit is none other than self consciousness con

sciousness of one's own being. Two things must be distinguished in consciousness: first the fact that I know; secondly what I know. In self-consciousness these are merged in one; for spirit ... appreciation of its

in the actual phenomena of ... is a point of fundamental importance in our science and one which must be constantly respected as essential. And in the same way as this distinction has attracted attention in view of the Christian ... —freedom

nature of the tree and the taste and form ... fruits, so do the first traces of spirit virtually contain the whole of that history. The Orientals have not attained the knowledge that spirit—man *as such*—is free; and because they do not know this, they are not free. They only know that *one* is free. But on this very account the freedom of that *one* is only caprice, ferocity—brutal recklessness of passion, or mildness and tameness of the desires, which is itself only an accident of nature—mere caprice like the former. That *one* is therefore only a despot, not a free man. The consciousness of freedom first arose among the Greeks, and therefore they were free; but they and the Romans likewise knew only that *some* are free, not man as such. Even Plato and Aristotle did not know this. The Greeks therefore had slaves, and their whole life and the maintenance of their splendid liberty was implicated with the institution of slavery: a fact moreover which made that liberty on the one hand only an accidental, transient and limited growth; on the other hand, constituted it a rigorous thraldom of our common nature—of the human. The German nations, under the influence of Christianity, were the first to attain the consciousness that man, as man, is free; that it is the *freedom* of spirit which constitutes its essence. This consciousness arose first in religion, the inmost region of spirit; but to introduce the principle into the various relations of the actual world, involves a more extensive problem than its simple implantation—a problem whose solution and application require a severe and lengthened process of culture. In proof of this we may note that slavery did not cease immediately on the reception of Christianity. Still less did liberty predominate in states; governments and constitutions adopt a rational organization, or recognize freedom as their basis. That application of the principle to political relations, the thorough moulding and interpenetration of the constitution of society by it, is a process identical with history itself. I have

ture it is our business to investigate.

The general statement given above of the various grades in the consciousness of freedom—and which we applied in the first instance to the fact that the Eastern nations knew only that *one* is free; the Greek and Roman world only that *some* are free; while *we* know that all men absolutely (man *as man*) are free—supplies us with the natural division of universal history, and suggests the mode of its discussion. This is remarked, however, only incidentally and anticipatively; some other ideas must be first explained.

The destiny of the spiritual world, and—since this is the *substantial world*, while the physical remains subordinate to it, or, in the language of ...

without further qualification, is an indefinite and incalculable ambiguous term; and that while that which it represents is the *ne plus ultra* of attainment, it is liable to an infinity of misunderstandings, confusions and errors, and to become the occasion for all imaginable excesses—has never been more clearly known and felt than in modern times. Yet for the present we must content ourselves with the term itself without further definition. Attention was also directed to the important and infinite difference between the principle in the abstract and its realization in the concrete. In the process before us the essential nature of freedom—which involves in it absolute necessity—is to be displayed as coming to a consciousness of itself (for it is in its very nature self-consciousness) and thereby realizing its existence. Itself is its own object of attainment and the sole aim of spirit. This result it is at which the process of the world's history has been continually aiming; and to which the sacri

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II The inquiry into the *essential destiny* of reason as far as it is considered in reference to the world is identical with the question *what is the ultimate design of the world?* And the expression implies that that design is destined to be realized Two points of consideration suggest themselves first the *import* of this design—its abstract definition and secondly its *realization*

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panorama of sin and s ffi r g that history un folds

Th *fi st* r mark we ha e to m ke and which th ugh already p es nted mo e than once ca t be too often repe ted when the cca on

developed essence whi h *as s c* u in itself n t c mpletely real. Aims princ ples tc ha e a plac in o r thought in our s bj c t e des gn only b t ot y t in the phere of re lity That whi h xists fo t. lf o ly s a poss'b'lity pote tial ty but has not yet m m t

pas of m n. That s me nc ptio f mine

f any bject t must in me way o ther b *my* bj ct In the compli hment of such or uch des gn I must t th sam time fi d *my* satisf tio alth gh the purpose fo which I exert my lf incl des a complic t of re sult ma y of whi h h no inte t fo m Th th b l te right f pe sonal xi te c —t fi d *t lf* sat fied in its t ty and labo If men t int t th m.el es f a yth g th y must (so t speak) h part of th xist en in l edin t fi dth di du lity grati fi d by t atta nment He m t k must be ded. W tend blam and j tly imput t f ult when w say f indi dual that h t est d (t k g part in such such t ansa t ns) th t is eeks nly his pri at ad ant g I ep hending thus w fi d f lt w th h m f f rth ri gh pe l aim with t any eg dt m mp h e des gn f whi h he takes d t g t p m t his own int est h h h e sacrifi es with thi w But

cerned seek their own *satisfaction* in the issue They are particula units of soc ety *i e* they ha e peci l needs i tincts and interests gen rally peculiar to themselves Among these

views and co victions or to use a l in in less decis o l anings of opinion suppos ing the impulses of reflect on understanding and reaso to have been awakened I the e ca es people demand if they are to exert them sel es in any di ectio that the object should f om n

op n o

W asse t then that nothi g has been acc m plish d w tho t interest on the part of the ac tors and—if inte est be alled pas n inas m ch s the whole indi dual ty to the neglect of all ther actual or po s bl t ests and claims is d vot d to n object with e ery fibre of lit o co centrating ll ts des res and pow ers upo it—we m y affirm ab ol tely that *noth*

poken of th d a of fr ed m s th natu e of sp rit a d the ab ol t g al *of history Pas* is rega ded thi g f sin ster aspect m less immoral Man is requi ed t h e no pas si s *P s o t t* is t quite the suitabl w d f r what I wish t xp ess I mean here th g m than th hum a t vity as esult ing f m pri ate *inte ests*—spe l o if you will elf seeki de gns—with this qualifica tio that the wh l e gy f will and character is d t d t th ttainm t that the ter ts (which w uld th m el es c nstitut ttra ti aims) the all things el e are sacrifi ed *to th m* Th obj ct q est bound up w th th m n s w ll th t t t ly d l d t rmines th h of r l tion and is inseparable f m t. It has be ome the

fices that have ever and anon been laid on the vast altar of the earth through the long lapse of ages have been offered This is the only aim that sees itself realized and fulfilled the only pole of repose amid the ceaseless change of events and conditions and the sole efficient principle that pervades them This final aim is God s purpose with the world but God is the absolutely perfect Being and can therefore will nothing other than Himself—His own Will The nature of His Will—that is His Nature itself—is what we here c

the language

The question

What means does this principle of freedom use for its realization? This is the second point we have to consider

(2) The question of the *means* by which freedom develops itself to a world conducts us to the phenomenon of history itself Although freedom is primarily an undeveloped idea the means it uses are external and phenomenal presenting themselves in history to our sensuous vision The first glance at history convinces us that the actions of men proceed from their needs their passions their characters and talents and impresses us with the belief that such needs passions and interests are the sole springs of action—the efficient agents in this scene of activity Among these may perhaps be found aims of a liberal or universal kind—benevolence it may b

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who adopt such aims and within the sphere of their influence but they bear only a trifling proportion to the mass of the human race and the extent of that influence is limited accordingly Passions private aims and the satisfaction of selfish desires are on the other hand most effective springs of action Their power lies in the fact that they respect none of the limitations which justice and morality would impose on them and that these natural impulses have a more direct influence over man than the artificial and tedious discipline that tends to order and el restraint law and morality When we look at this di play of passions and the consequences of their violence the unreason which is associated not only with them but even (rather we might say *especially*) with *good* designs and righteous aims when we see the evil the vice the ruin that has befallen the most flourishing kingdoms which the mind of man ever created we can scarce avoid being filled with sorrow at this universal taint of corruption and since this decay is not the work of mere nature but of the human will—a moral embitterment—a revolt of the good spirit (if it have a place within us) may well be the result of our reflections Without rhetorical exaggeration a simply truthful combination of the miseries that have overwhelmed the noblest of nations and polities and the finest exemplars of private virtue—forms a picture of most fearful aspect and excites emotions of the profoundest and most hopeless sadness counterbalanced by no consolatory result We endure in beholding it a mental torture allowing no defence or escape but the consideration that what has happened could not be otherwise that it is a fatality which no intervention could alter And at last we draw back from the intolerable disgust with which these sorrowful reflections threaten us into the more agreeable environment of our individual life—the present formed by our private aims and interests In short we retreat into the selfishness that stands on the quiet shore and thence enjoys in safety the distant pectacle of wrecks confu edly hurled But even regarding history as the slaughter bench at which the happiness of peoples the wisdom of states and the virtue of individuals have been victimized—the question involuntarily arises—to what principle to what final aim these enormous sacrifices have been offered From this point the investigation usually proceeds to that which we have made the general commencement of our inquiry Starting from this we pointed out tho e phenomena which made up a picture so suggestive of gloomy emotions and thoughtful reflections —as *the very field* that we for our part regard as exhibiting only the means for realizing what we assert to be the essential destiny—the absolute aim or which comes to the same thing the true *result* of the world s history We have all along purposely eschewed moral reflections as a method of rising from the scene of historical specialties to the general principles which they embody Besides it is not the interest of such sentimentalities really to rise above those depressing emotions and to solve the enigmas of providence which the considerations that occasioned them present It is essential to their character to find a gloomy satisfaction in the empty and fruitless sublimities of that negative result We return them to the point of view which we have adopted observing that the successive steps (*Momente*) of the analysis to which it will lead us will also evolve the conditions requisite for answering the inquiries suggested by the

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very e sence of his volition For a person is a specific existence not man in general (a term to which no real existence corresponds) but a particular human being The term character likewise expresses this idiosyncra y of w I

pi vate relations etc and is not limited to his idiosyncrasy in its practical and active phase I shall therefore use the term passions understanding thereby the partic ular bent of character as far as the peculiarities of volition are not limited to private interest but supply the impelling and actuating force for accomplishing deeds shared in by the commu nity at large Passion is in the first instance the *subjective* and therefore the *formal* side of energy will and activity—leaving the object or aim still undetermined And there is a similar relation of formality to reality in merely indi vidual conviction individual views individual conscience It is always a question of essential importance what is the purport of my convic tion what the object of my passion in deciding whether the one or the other is of a true and sub stantial nature Conversely if it is so it will in evitably attain actual existence—be realized

From this comment on the second essential element in the historical embodiment of an aim we infer glancing at the institution of the state in passing that a state is then well constituted and internally powerful when the private in terest of its citizens is one with the common in terest of the state when the one finds its grati fication and realization in the other—a proposi tion in itself very important B t

i ueistanding before what is really appropriate can be discovered—involving moreover contentions with private interest and passions and a tedious discipline of these latter in order to bring about the desired harmony The epoch when a state attains this harmonious condition marks the period of its bloom its vir tue its vigou
of mankind c
of any kind
circles into w ch men form themselves of set purpose The mere social instinct implies a con scious purpose of security for life and property and when society has been constituted this pur pose becomes more comprehensive The history of the world begins with its general aim the re alization of the idea of spirit only in an *impl cit*

form that is as nature a hidden mo t profound ly hidden unconscious instinct and the whole process of history (as already observed) is di rected to rendering this unconscious impul e a conscious one Thus appearing in the form of merely natural existence natural will—that which has been called the subjective side—phy i cal craving instinct passion private interest as also opinion and subjective conception—spontaneously present them elves at the very commencement This vast congeries of volitions interests and activities constitute the in tru ments and means of the world pirit for it

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anu contemp ati g itself in concrete actuality But that tho e mani festations of vitality on the part of individuals and peoples in which they eek and satisfy their

ously—might be made a matter of ques tion rather has been questioned and in every variety of form negatived decried and con temned as mere dreaming and philosophy But on thi point I announced my view at the very outset and asserted our hypothesis—which however will appear in the sequel in the form of a legitimate inference—and our belief that reason governs the world and has con equently governed its history In relation to this inde pendently universal and substantial exi tence—all el e is subordinate subservient to it and the means for its development The union of uni versal abstract existence generally with the indi vidual—the subjective—that this alone is truth belongs to the department of peculation and is treated in this general form in logic But in the process of the world s history itself as still in complete the abstract final aim of history is not yet made the distinct object of desire and inter est While these limited sentiments are still un conscious of the purpose they are fulfilling the universal principle is implicit in them and is realizing itself through them The question also assumes the form of the union of *f eedom* and *necessity* the latent abstract process of pirit being regarded as *necessity* while that wh ch

t n n the idea) of these forms of thought be longs to logic it would be out of place to ana lyse it here The chief and cardinal points only shall be mentioned.

Such individuals had no consciousness of th gen ral idea t ey were unf ldin while pro e cuting those aims f th rs o the co trary they were practical, poli cal men. But at the same tim t ey were thinkin men who had an in sight into the requirements of the time—*what was ripe for development*. This was the very truth for their age, for their world the species next in order so t speak, and which was already formed in the womb f time. It was th irs to know this nascent principl the necessary di rectly sequent step in progress which their world was to take to make this their aim and t expe d thei en rgy in promoting it. W rld historical men the heroes of an epoch, must therefore be recognized as ts cl ar-sighted o es *their* deeds *their* wo ds are the best of that time Great men ha e f rmed purposes to satisfy themselves, t thers. What er prudent de signs and unsels they mig t ha e le rned from others would be th m e limited and incon s ten features in their career f r it was they

f esh tep in hi ry is th inmost soul of all in di dual but in a stat f unconsci u ness which the great men in q estion aroused. Their

son, whos ocation t was t be th agents of t w ld-spirit w hall find t t ha e been no hap one They attained o calm enjoyment t eir wh l lif was labo and troubl th ir h le natur was ught se but their maste passion. When thei object is ttained they fall a lik empty h lls from the k rn l. The di arl like Al xander they re murdered, like Cæsa transport d t St. H lena like N poleon This f ful consola on—that hist rical men ha e t enj ed what is called happiness and of w h only pri at lif (and this may be passed und ry an us ext rnal circum tan es) is pable—this nsolation those may draw f om his ry who t nd in eed f t and t is cra ed by en y—vexed what is grea and transcend ent—striving t er f re t depreciat t, and t find som flaw in t. Thus in modern times t has been demon trated d as m that prin es are genera l unhappy o thei thrones in onsid ra f hich th po ses on f a th one is t rated, and men quiesce in th f ct that not themselves but the person ges in questi n are its occupants. Th f ee man we may observe

is not en ious but gladl recognizes what is great and exalted, and rejo ces that it exi ts.

It is in the light of those common elements which c n titu the interest and therefore the passions of indi du ls that these historical men are to be regarded. They are *great* men bec use they willed and accompli hed om thing great n t a mere fanc a mere intention but that which met th case and fell in with the needs of the age. This mode of con dering them also excludes the o-called "ps ch logical view which erving the purpose of en y most effectu all contrives so t refer all actions to the heart —t bring them under such a bjecti e aspect —as that their authors appe r to ha e done everything under th impul e of ome pas on, m an or grand—some *morbid cravi g*—and on accoun f these passions and cra ings to have been not m ral men Alexa der of M cedon partly subdued Greece and then Asia therefore h was pos essed by a *morbid cravi g* for con quest. He is alleged t ha e cted from a cra ing for fame, f co quest and the proof that these w re th impellin moti es is that he did that which resulted in fame. What pedag gue has not demon trated f Alexander the Gre t of Juli s Cæsa that th y were instigated by uch pas sion and were nsequently imm ral men? Whence the conclu on immediately follows that he th pedagogue is a better man than they be ca he has t uch pa sions a proof of which lies in the fact that he does n conquer Asia—vanquish D rius and P rus—but whi he enj ys life himself lets others en oy t too. These ps

friends and acquaintances he has pa ing im pul es and ebullitions of temper No man is a h ro to his al t-de-chambre is a well k wn pro erb I ha e added—and Goethe repeated t ten ars later— b t not becau e the f rm r is no her but because th latte is a val t. H takes off the hero s boots ass ts him to bed, *knows that h p efers champagne* etc. Hi t rical personages waited upo in hi t rical lit rature by su h p ch logical al ts come poo ly off th y are b ought d wn by these th attendants t le el with, r rath a f w degrees below th level of the m rality of uch exqui e di ern ers of spirits The Th rsites of Homer wh buses th kings is tanding figure f all times Bl ws that is beating with a solid cudgel he does n t get in every ge as in the H meric o but his en y his egotism is the th rn

deed itself the general principles it calls into play its substantial content entails it By this example I wish only to impress on you the con sideration that in a simple act something fur ther may be implicated than lies in the intention and consciousness of the agent The example before us involves however this additional con sideration that the substance of the act conse quently we may say the act itself recoils upon the perpetrator—reacts upon him with destruc tive tendency This union of the two extremes—the embodiment of a general idea in the form of direct reality and the elevation of a speciality into connection with universal truth—is brought to pass at first sight under the conditions of an utter diversity of nature between the two and an indifference of the one extreme towards the other The aims which the agents set before them are limited and special but it must be re marked that the agents themselves are intelli gent thinking beings The purport of their de sires is interwoven with *general essential* con siderations of justice good duty etc for mere desire volition in its rough and savage forms falls not within the scene and sphere of univer sal history Those general considerations which form at the same time a norm for directing aims and actions have a determinate purport for such an abstraction as good for its own sake has no place in living reality If men are to act they must not only intend the good but must have decided for themselves whether this or that particular thin is a good What special course of action however is good or not is determined as regards the ordinary contingencies of private life by the laws and customs of a state and here no great difficulty is presented Each indi vidual has his position he knows on the whole what a just honorable course of conduct is As to ordinary private relations the assertion that it is difficult to choose the right and good—the regarding it as the mark of an exalted morality to find difficulties and raise scruples on that score—may be et down to an evil or perver e will which seeks to evade duties not in them selves of a perplexing nature or at any rate to an idly reflective habit of mind—where a feeble will affords no sufficient exercise to the faculties—leaving them therefore to find occupation within themselves and to expend themselves on moral self adulation

It is quite otherwise with the comprehensive relations that history has to do with In this sphere are presented tho e momentous collisions between existing acknowled ed duties laws and rights and those contingencies which are ad verse to this fixed system which assail and even destroy its foundations and existence who e tenor may nevertheles seem good—on the large scale advantageous—yes even indi pensab e and necessary These contingencies realize them selves in history they involve a general princi ple of a different order from that on which de pends the *permanence* of a people or a state This principle is an essential phase in the de velopment of the *creating* idea of truth striving and urging towards itself Historical men—*world historical individuals*—are those in who e aims such a general principle lies

Cæsar in danger of losing a position not per haps at that time of superiority yet at least of equality with the others who were at the head of the state and of succumbing to those who were just on the point of becoming his enemies be longs essentially to this category These enemies who were at the same time pursuing *their* per sonal aims had the form of the constitution and the power conferred by an app arance of justice on their side Cæsar was contending for the maintenance of his position honor and safety and since the power of his opponents in cluded the sovereignty over the provinces of the Roman Empire his victory secured for him the conquest of that entire empire and he thus be came though leaving the form of the constitu tion the autocrat of the state That which se cured for him the execution of a design which in the first instance was of negative import the autocracy of Rome was however at the same time an independently necessary feature in the history of Rome and of the world It was not then his private gain merely but an uncon cious impulse that occasioned the accomplishment of that for which the time was ripe Such are all great historical men—whose own particular aims involve those large is ues which are the will of the world spirit They may be called heroes in asmuch as they have derived their purposes and their vocation not from the calm regular course of things sanctioned by the existing order but from a concealed fount—one which has not at tained to phenomenal present existence—from that inner spirit still hidden beneath the ur face which impinging on the outer world as on a shell bursts it in pieces because it is another kernel than that which belonged to the shell in question They are men therefore who ap pear to draw the impulse of their life from them selves and who e deeds have produced a condi tion of things and a complex of historical rela tions which appear to be only *their* intere t and *their* work

ety of me... ...nces, outward honour and t... like. But in speaking of something which in and for itself constitutes an aim of existence that ... fortune, well or ill-faring of these or those isolated individuals cannot be regarded as an essential element in the rational order of the universe. With more justice than happiness—or a fortunate environment for individuals—it is demanded of the grand aim of the world's existence that it should foster nay involve the execution and ratification of good, moral, righteous ... ...men morally discontented ...

t... ever with their ... ... the ... t be. In this case it is not private interest nor passion that desires gratification; but reason, justice, liberty; and equipped with this title the demand in question assumes a lofty bearing and readily adopts a position not merely of discontent but of open revolt against the actual condition of the world. To estimate such a feeling and such views aright, the demands insisted upon, and the very dogmatic opinions asserted, must be examined. At no time so much as in our own, have such general principles and notions been advanced, or with greater assurance. If in days gone by history seems to present itself as a struggle of passions, in our time—though displays of passion are not wanting—it exhibits partly a predominance of the struggle of notions assuming the authority of principles; partly that of passions and interests essentially subjective, but under the mask of such higher sanctions. The pretensions thus contended for as legitimate in the name of that which has been stated as the ultimate aim of Reason, pass accordingly for absolute aims—to the same extent as religion, morality, ethics. Nothing, as before remarked, is now more common than the complaint that the ideals which imagination sets up are not realized—that these glorious dreams are destroyed by cold actuality. These ideals—which in the voyage of life founder on the rocks of hard reality—may be in the first instance only subjective, and belong to the idiosyncrasy of the individual, imagining himself the highest and wisest. Such do not properly belong to this category. For the fancies which the individual in his isolation indulges cannot be the model for universal reality; just as universal law is not designed for the units of the mass. These as such may in fact, find their interests decidedly thrust into the background. But by the term "Ideal," we also understand the Ideal of Reason, of the good, of the true. Poets, as e.g. Schiller, have painted such ideals touchingly and with strong emotion, and with the deeply melancholy conviction that they could not be realized. In affirming, on the contrary, that the universal reason does realize itself, we have indeed nothing to do with the individual empirically regarded. That admits of degrees of better and worse, since here chance and speciality have received authority from the Idea to exercise their monstrous power. Much, therefore, in particular aspects of the grand phenomenon might be found fault with. This subjective fault-finding—which, however, only keeps in view the individual and its deficiency, without taking notice of reason pervading the whole—is easy; and inasmuch as it asserts an excellent intention with regard to the good of the whole, and seems to result from a kindly heart, it feels authorized to give itself airs and assume great consequence. It is easier to discover a deficiency in individuals, in states, and in Providence, than to see their real import and value. For in this merely negative fault-finding a proud position is taken, one which overlooks the object, without having entered into it, without having comprehended its positive aspect. Age generally makes men more tolerant; youth is always discontented. The tolerance of age is the result of the ripeness of a judgment which, not merely as the result of indifference, is satis- ...

t... ...ch, to be that the true good, the universal divine reason, is not a mere abstraction, but a vital principle capable of realizing itself. This good, this reason, in its most concrete form, is God. God governs the world; the actual working of His government, the carrying out of His plan, is the history of the world. This plan philosophy strives to comprehend; for only that which has been developed as the result of it possesses bona fide reality. That which does not accord with it is negative, worthless existence. Before the pure light of this divine Idea, which is no mere Ideal, the phantom of a world whose events are an incoherent concourse of fortuitous circumstances utterly vanishes. Philosophy wishes to discover the substantial purport, the real side of the divine Idea, and to

which he has to carry in his flesh and the undying worm that gnaws him is the tormenting consideration that his excellent views and virtu perations remain absolutely without result in the world But our satisfaction at the fate of thersitism also may have its sinister side

A world historical individual is not so unwise as to indulge a variety of wishes to divide his regards He is devoted to the one aim regardless of all else It is even possible that such men may treat other great even sacred interests inconsiderately conduct which is indeed obnoxious to moral reprehension But so mighty a form must trample down many an

I uevelopment of a general principle for it is from the special
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gene t is implicated in opposition and combat and that is exposed to danger It remains in the background untouched and uninjured This may be called the *cunning of reason* —that it sets the passions to work for itself while that which develops its existence th h
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of value part is positive and real The particular is for the most part of too trifling value as compared with the general individuals are sacrificed and abandoned The idea pays the penalty of determinate existence and of corruptibility not from itself but from the passions of individuals

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the appiness given up to the empire of chance to which it belongs and that as a general rule individuals come under the category of means to an ulterior end—there is one aspect of human individuality which we should hesitate to regard in that subordinate light even in relation to the h h

s *religion*
Even when speaking of the realization of the great ideal aim by means of individuals the *subjective* element in them—their interest and that of their cravings and impulses their views and judgments thou h exhibited as the merely formal side of their existence—was spoken of as having an infinite right to be consulted The first idea that presents itself in speaking of *means* is that of something external to the object and having no share in the object itself But merely natural things—even the commonest lifeless objects—used as means must be of such a kind as adapts them to their purpose they must possess something in common with it Human beings least of all sustain the bare external relation of mere means to the great ideal aim Not only do they in the very act of realizing it make it the occasion of atisfying personal desires whose purport is diverse from that aim—but they share in that ideal aim itself and are for that very rea
ence
being
essen y oordinate to that of man and is properly used *up* as an instrument Men on the contrary are objects of existence to themselves as regards the intrinsic import of the aim in question To this order belongs that in them which we would exclude from the category of mere means—morality ethics religion That is to say man is an object of existence in himself only in virtue of the divine that is in him—that which was designated at the outset as *reason* which in view of its activity and power of elf determination was called *freedom* And we affirm without entering at present on the proof of the assertion that religion morality etc have their foundation and source in that principle and so are essentially elevated above all alien necessity and chance And here we must remark th

o ute and sublime destiny of man—that he knows what is good and what is evil that his destiny is his very ability to will either good or evil—in one word that he is the subject of moral imputation imputation not only of evil but of good and not only concerning this or that particular matter and all that happens *ab extra* but *also* the good and evil attaching to his individual freedom The brute alone is simply innocent It would however demand an extensive explanation as extensive as the analy is of moral freedom itself to preclude or obviate all the misunderstandings which the statement that what is called innocence imports the entire unconsciousness of evil—is wont to occasion

In contemplating the fate which virtue morality even piety experience in history we must not fall into the litany of lamentations that the good and pious often or for the most part fare ill in the world while the evil-disposed and wicked prosper The term *prosperity* is used in a vari

ety of meanings—ri hes, outwa d h no r and the like. But in spe king of som thin which m m f existence that o- n se or tunate en ironm nt fo indi duals— de- manded of the grand aim of the w rld ext

p on that des s grat fic tion but ea o jus ti e liberty and eq pped with this title th d mand in que tio as umes a lofty bearing and eadily d pts a po t n t m rely f disc t t but of pen re lt again t the ct l c di tio f the w ld. To estimate ch a feeling and su h ew right the demands insisted p- and th ry d gm ti pin s s erted must be xami ed. At o times s m h as in our o n ha e su h gen ral prin ple and n t s been d an ed, o with greate a ura ce If in d ys gone by history se ms t p esent tself as truggle of pas s in u tum th u h dis- play f pa si n t wa tin it exhib ts part ly pred minance f th truggl f n t s suming th th rity of principles partly that f pa s on and interests es t ally bjecti e but d th mask f ch high sancti The p tensions thus cont ded f r s l gitim te in the name of that hich has been stat d the ltimat im f easo pass rdingly for b- solut aims—t the same extent religion m ral thics \ thing as bef ema ked is n w m comm than th c mpla t that th al h h imaginati et up not ealized —th t these gl ri us dreams e destr yed by ld a tuality These de ls whi h in th ag f lif f de o the cks f hard eality may be th first instanc only bj cti and be long t th di yn rasy f th individual, imag ining himself th high t and wise t. S ch d t prope ly bel ng t this categ ry F th fanci hich the indi d al in his lat on in dulges cannot be th model fo uni rsal eal ity just as uni er al law is t des gned f the units f th mass These as h may in fact

fi d the r intere ts dec dedly thrust into the backgr d. But by the term ideal we also unde stand th deal of rea on of the good of the true Poets as *e g* Schiller have pa nted d w h t ng emotion hat the il ze

subjecti f ult fi ding—which n et y keeps i ew the indi dual and its defic ency w th ut taking notice f on pervading the whole—is easy nd inasmuch as it as erts an excellent inte tion with regard to th good of *the wh le and s ems to re ult f* om a kindly heart t feels authorized to gi e it elf a rs nd a ume great c nsequenc It is ea i r to discover a deficie cy *indi duals in states and in* P o denc than to ee thei real import and

ut ha ing comp ehend d t po tive a pect. A ge ally makes men mo tolerant youth i always di contented. The tolerance of age is the e ult of the ripe ss of a judgment which not m rely as th result of indifference is t — — h m deepl

it ught to be that the truly go d the uni ersal di ine rea s n t me e abstracti b t t l princ ple capabl of ealizing t lf This *good* this *aso* in its m t conc te form i God. God go rns th w rld th ctual w k ing f H g ernment the carryi o t f His pla is the history f the wo ld. This plan phi l sophy tri es to c mp ehend f nl that which ha bee d l ped as the re ult f it possesses *bona fide* eality That whi h does n t rd with it is negati worthles exist B f th pur light f this di in d which is no me e deal the phantom of a wo ld wh se ents n in h t co c rse f f tuit us ci m t tte ly anish Phi l phy wishes to di e th s bstantial pur port th al d f the di ine idea and to

which he has to carry in his flesh and the undying worm that gnaws him is the tormenting consideration that his excellent views and vituperations remain absolutely without result in the world But our satisfaction at the fate of thersitism also may have its sinister side

A world historical individual is not so unwise as to indulge a variety of wishes to divide his regards He is devoted to the one aim regardless of all else It is even possible that such men may treat other great even sacred interests inconsiderately conduct which is indeed obnoxious to moral reprehension But so mighty a form must trample down many in n

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general idea th implicated in opposition and combat and that is exposed to danger It remains in the background untouched and uninjured This may be called the *cunning of reason* —that it sets the passions to work for itself while that which develops its existence through such impulsion pays the penalty d "
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for the most part of too trifling value as compared with the general individuals are sacrificed and abandoned The idea pays the penalty of determinate existence and of corruptibility not from itself but from the passions of individuals

But though we might tolerate the idea that individuals their desires and the gratification of them are thus sacrificed and their happiness given up to the empire of chance to which it belongs and that as a general rule individuals come under the category of means to an ulterior end—there is one aspect of human individuality which we should hesitate to regard in that subordinate light even in relation to the highest since it is absolutely no subordinate element but exists in those individuals as inherently eternal and divine I mean *morality ethics religion* Even when peaking of the realization of the great ideal aim h m
jective eler
of their cr ws and judgments thou h exhibited as the merely formal side of their existence—was spoken of as having an infinite right to be consulted The first idea that presents itself in speaking of *means* is that of something external to the object and having no share in the object itself But merely natural things—even the commonest lifeless objects—used as means must be of such a kind as adapts them to their purpose they must possess something in common with it. Human beings least of all sustain the bare external relation of mere means to the great ideal aim. Not only do they in the very act of realizing it make it the occasion of atisfying personal desires whose purport is diverse from that aim—but they share in that ideal aim itself and are for that very reason objects of their own ex t ence not *formally* merely as the world of living beings generally is—whose individual life is essentially subordinate to that of man and is properly used *up* as an instrument Men on the contrary are objects of existence to themselves as regards the intrinsic import of the aim in question To this order belongs that in them which we would exclude from the category of mere means—morality ethics religion That is to say man is an object of existence in himself only in virtue of the divine that is in him—that which was designated at the outset as *reason* which in view of its activity and power of self determination was called *freedom* And we affirm without entering at present on the proof of the assertion that religion morality etc. have their foundation and source in that principle and so are essentially elevated above all alien necessity and chance And here we must remark that individuals to the extent of their freedom are responsible for the depravation and enfeeblement of morals and religion This is the seal of the absolute and sublime destiny of man—that he knows what is good and what is evil that his destiny *is* his very ability *to will* either good or evil—in one word that he is the subject of moral imputation imputation not only of evil but of good and not only concerning this or that particular matter and all that happens *ab extra* but *also* the good and evil attaching to his individual freedom The brute alone is simply innocent It would however demand an extensive explanation as extensive as the analysis of moral freedom itself to preclude or obviate all the misunderstandings which the statement that what is called innocence imports the entire unconsciousness of evil—is wont to occasion

In contemplating the fate which virtue morality even piety experience in history we mu t not fall into the litany of lamentations that the good and pious often or for the most part fare ill in the world while the evil disposed and wicked pro per The term *prosperity* i used in a vari

ha e an in..nite existence and no o e could say whenc they came Th law of morality are ot accidental but are the essentially rational It is the very object f the state that what is es ential in th practical act ty of men, and in *their dispos tions* should be duly recognized ... f t xistenc and

... ...

spiritual eality he pos..esses only th ough th state F r hi spiritual reality con..i ts in this that hi own essence—reas n—is bjectiv ly present to him that it posses es objecti e imme diate existence f r him. *Thus only is he fully* onscious thus only is he partake f morality of just and m ral social and polit cal lif For truth is th unity f the uni ersal a d s bj cti will and th uni e sal is to be f und in the state in t laws i..s uni ersal a d rat onal arrang ments Th st te is the di in idea t exi..ts on earth. We ha e in t ther f the bject f hist ry in m e d finit hape than bef that in whi h f eedom b..ains bjecti ty d *li es in the enjoyment f this obj ct ty For* law is the obj ctivity f p rit olit on in its true f rm Only that will whi h beys law is f ee f t beys t..elf—it is independe t and f ee When th tat o ur c untry con ti tutes mmunity f exi..tence when the sub ject will of man ubmits t laws—th c *tradict* on between liberty and es ty an hes The rational has necessary exi..tenc as being the eality and s bstance f thi gs and w f ee in recogniz g t as law d f *Lowing* t as th ubstan e of ur wn being The ob ject d the ubjecti e will e then recon led and present one dent cal homogen us wh l F th m rality of the t..t is ot f that thi l e.. cti kind in which s own on t on bears sway this latt r ra..h th peculia t f t.. modern time while *the true* ant que m rality is based the pri cipl of ... ...

is duty—s b tantial right—a *second* natu e as t has been justly called for the *first* nature of man is his primary merely animal ex tence

The development *in extenso* of the idea of the state belo gs to the philosophy of jurispru dence but it mu..t be observed that in the theor es of our time various errors *are current* respecting it which pass for established truths and ha e bec me fixed prejudices We will men tion o *ly a few of them* gi ing prominence to such as ha e a refe ence to the object of our his tory

The erro which fir t me ts us s the direct contradictory of our principle that the state p e..e ts the realizati of f eedom the op nio n that man is free by *nature* but that in *society* in the tate to which neverth less he is i res tibly impelled he mu..t limit this natural freedom. That man is free by nature is quite correct in o e ense that he is so acc rding to the dea of humanity but we imply there by that he is uch only i virt e of his destiny— ... ...

in whi h mankind at lar are in the pos..es on of thei natural ri..hts with the unconstr ined *exer ise and enj yme t of thei f edom* This as umpt o is t d ed rais d t the d gnity of the hi t cal fact it would indeed be difficult wer the ttempt seri usly made to point ut any s h co dit on as actually exi ting or as ha ing eve occurred. Examples of a sa ge st t f l f can be pointed out b t they e ma ked by brutal p ons and deeds of vo- lenc while h wev rud and mpl th co diti ns they invol e social arra gements wh ch (*t use the common phr se) rest a* f eed m. That as mpt n is of those n bul us im ges which theory p oduces a dea which it ca.. ot o d originating b t whi h t fath rs upon eal exi..ten without suffici nt hi..t rical justification.

What we find such a state of natu e to be in actual experien e answers exactly to the idea f a *mer ly* natural o diti F eedom a th *id al* of that whi h is origin l and nat ral does not exist *as orig al nd natural* Rathe must it be first sought ou and w and that by incal culable medial disciplin of the int ll tual and m ral powers Th state of natur is the efo e

justify the so much despised reality of things for reason is the comprehension of the divine work But as to what concerns the perversion corruption and ruin of religious ethical and moral purposes and states of society generally it must be affirmed that in their *essence* these are infinite and eternal but that the forms they assume may be of a limited order and consequently belong to the domain of mere nature and be subject to the sway of chance They are [illegible]

peculiarity of being present in the individual soul in the full extent of their idea and therefore truly and really although they may not manifest themselves in it *in extenso* and are not applied to fully developed relations The religion the morality of a limited sphere of life—that of a shepherd or a peasant *e g*—in its intensive concentration and limitation to a few perfectly simple relations of life has infinite worth the same worth as the religion and morality of extensive knowledge and of an existence rich in the compass of its relations and actions This inner focus—this simple region of the claims of subjective freedom the home of volition resolution and action the abstract sphere of conscience—that which comprises the responsibility and moral value of the individual remains untouched and is quite shut out from the noisy din of the world s history—including not merely external and temporal changes but also those entailed by the absolute necessity inseparable from the realization of the idea of freedom itself But as a general truth this must be regarded as settled that whatever in the world possesses claims as noble and glorious has nevertheless a higher existence above it The claim of the world spirit rises above all special claims

These observations may suffice in reference to the means which the world spirit uses for realizing its idea Stated simply and abstractly this mediation involves the activity of personal existences in whom reason is present as their absolute substantial being but a basis in the first instance still obscure and unknown to them But the subject becomes more complicated and difficult when we regard individuals not merely in their aspect of activity but more concretely in conjunction with a particular manifestation of that activity in their religion and morality—forms of existence which are intimately connected with reason and share in its absolute claims Here the relation of mere means to an end disappears and the chief bearings of this seeming difficulty in reference to the absolute aim of pirit have been briefly considered

(3) The third point to be analysed is therefore—what is the object to be realized by these means *i e* what is the form it assumes in the realm of reality We have spoken of *means* but in the carrying out of a subjective limited aim we have also to take into consideration the element of a *material* either already present or which has to be procured Thus the question would arise What is the material in which the ideal of reason is wrought out? The primary answer would be—personality itself—human desires—subjectivity generally In human knowledge and volition as its material element reason attains positive existence We have considered subjective volition where it has an object which is the truth and essence of a reality in where it constitutes a great world historical passion As a subjective will occupied with limited passions it is dependent and can gratify its desires only within the limits of this dependence But the subjective will has also a substantial life—a reality—in which it moves in the region of *essential* being and has the essential itself as the object of its existence This essential being is the union of the *subjective* with the *rational* will it is the moral whole the *state* which is that form of reality in which the individual has and enjoys his freedom but on the condition of his recognizing believing in and willing that which is common to the whole And this must not be understood as if the subjective will of the social unit attained its gratification and enjoyment through that common will as if this were a means provided for its benefit as if the individual in his relations to other individuals thus limited his freedom in order that this universal limitation—the mutual constraint of all—might secure a small space of liberty for each Rather we affirm are law morality government and they alone the positive reality and completion of freedom Freedom of a low and limited order is mere caprice which finds its exercise in the sphere of particular and limited desires

Subjective volition—passion—is that which sets men in activity that which effects practical realization The idea is the inner spring of action the state is the actually existing realized moral life For it is the unity of the universal essential will with that of the individual and this is morality The individual living in this unity has a moral life possesses a value that consists in this substantiality alone Sophocles in his *Antigone* says The divine commands are not of yesterday nor of to day no they

garded. The natural inference from this prin ciple is that no law can be valid with ut th p- proval f all. This difficulty i ttempted to be b ut d by the decis on that th minority must y ld to the majority the majority theref re bear the sway But l ng ag J J R us eau remarked that in that case the e w uld be no long r freedom f r the will of the *minority* would cease t be respected. At the Polish D et ea h ingl member had to gi e hi onsent be f any political step ould be taken and this kind f f eedom t wa that ruined the state Besides it is a dang rous and false prejudice that th people *alone* ha e reason d might and kn w what justic is f r ea h popula fac d th

body politi ha e ot gi en their san ti ha e p ope ly speaking no *onst t t on* The only rra gement that w uld be ne essary would be first a cent e ha ing n *will* of its own but which h uld tak nto consid ration what ppe ed *to be* th es ities f the state d, econdly trivance f r calling th members f the state tog ther f taking the

tizens b t t is an tuality and ts imply gen ri existen e must embody itself in individ ual will and cti ty The want of government and polit cal dmini trati in gen ral is felt thi ecess tates th selecti n and separati n f om the est f thos wh ha t take the b lm in political ffairs t decide con rni g them d t gi d rs to oth tizens with w t the execu on f the plans If e g even th peopl in democ *cy resol* a war gen eral m t head the rmy It is nly by a con ti tu on that th *b t t on*—th tate—attains lif and al ty but thi in l es th distinctio between those wh mmand and those who obey Yet bedi c eems inc nsiste t with libert and those wh mmand ppear to do the ery oppos f that whi h th fundam ntal dea f th tat — that f f eedom requi es It is h weve urged that—th gh th di tinc *t on* between mmanding and obeying is bso- l ly ecessary because ffairs could not g

without it—and indeed this seems *only* a com pulsory lim t ti n external to and e en con tra ning fr edom in th ab tract—the con ti tuti n should b at lea t so fr med that the citizens ma obey as littl as possible and the smallest modicum of free volition be left to — he ub ces- uld

be dec ded and so —by the will f many or of ll the citizens thou h it is supposed to be thereby prov ded that the state sh uld be pos essed of v gor and strength as realit —an indi dual unity

Th primary con ideration is then the dis tincti n between the go erning and the gov rned and the polit cal co st tutions in the abtract ha e been rightly di ided into monarchy ri tocracy and democracy wh ch gi es oc ca on h weve t the rema k that m na ch tself mu t be further di ded into despoti m and monarchy proper that in all the di o s t which th leading idea gi es rise nly the gen ric characte is to be made p mine t—it — h h partcula

sel es b t also such as e mixtures of everal of these esse tially di tinct las es and whi h conseque tly mi shapen unstable and in consistent f rms I s h a lli on the c rning quest o is what the *b st const t t on* that is by what arrang ment orga izati n o mechani m of the pow f the tate ts object ca be m t surely attain d. This object m y indeed be variou ly und rstood f instance a the alm *jo ment f life* on the part f the citizens o as uni rsal happ ess S h a ms ha e s ggest d the so-call d d als of constit ti ns and, as a parti ular bra ch of the ub- ject deals f the ducati f princ (F e lon) o of th g erning body—the ar tocracy t large (Plat) f th chi f point they tr at f is th c dit on of those s bj cts wh ta d t th head of affairs and in these ideals th c et d tails of political rganizat are not t all c n d red. The inquiry int th best stituti is frequently treat d s f not only the theory we an aff ir f ubject nd pendent con ctio b t as f the introducti n f on stit tio ecognized as the best—o as supe ri t others—c uld be the re ult f resol e

predominantly that of injustice and violence of untamed natural impulses of inhuman deeds and feelings Limitation is certainly produced by society and the state but it is a limitation of the mere brute emotions and rude instincts as also in a more advanced stage of culture of the premeditated self will of caprice and passion This kind of constraint is part of the instrumentality by which only the consciousness of freedom and the desire for its attainment in its true—that is rational and ideal form—can be obtained To the ideal of freedom law and morality are indispensably requisite and they are in and for themselves universal existences objects and aims which are discovered only by the activity of thought separating itself from the merely sensuous and developing itself in opposition thereto and which must hand h h

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s on of freedom consists in regarding that term only in its *formal* subjective sense abstracted from its essential objects and aims thus a constraint put upon impulse desire passion—pertaining to the particular individual as such—a limitation of caprice and self will is regarded as a fettering of freedom We should on the contrary look upon such limitation as the indispensable proviso of emancipation Society and the state are the very conditions in which freedom is realized

We must notice a second view contravening the principle of the development of moral relations into a legal form The *pat iarchal* condition is regarded—either in reference to the entire race of man or to some branches of it—as exclusively that condition of things in which the legal element is combined with a due recognition of the moral and emotional parts of our nature and in which justice as united with these truly d

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the *primary*

s morality succeeded by that of the state as its *second* phase The patriarchal condition is one of transition in which the family has already advanced to the position of a race or people where the union therefore has already ceased to be simply a bond of love and confidence and has become one of plighted service We must first examine the ethical principle of the family The family may be reckoned as virtually a single person since its members have either mutually surrendered their individual personality (and consequently their legal position towards each other with the rest of their particular interests and desires) as in the case of the parents or have not yet attained such an independent personality—(the children who are primarily in the merely natural condition already mentioned) They live therefore in a unity of feeling love confidence and faith in each other And in a relation of natural love the one individual has the consciousness of himself in the consciousness of the other he lives out of self and in this mutual self renunciation each regains the life that had been virtually transferred to the other gains in fact that other s existence and his own as involved with that other The farther interests connected with the necessities and external concerns of life as well as the development that has to take place within their circle i e of the children constitute a common object for the members of the family The spirit of the family—the Penates—form one substantial bein as much as the spirit of a people in the state and morality in both cases consists in a feeling a consciousness and a will not limited to individual personality and interest but embracing the common interests of the members generally But this unity is in the case of the family essentially one of *feeling* not advancing beyond the limits of the merely *natural* The piety of the family relation should be re pected in the highest degree by the state by its means the state obtains as its members individuals who are already moral (for as mere *persons* they are not) and who in uniting to form a state bring with them that sound basis of a political edifice—the capacity of feeling one with a whole But the expansion of the family to a patriarchal unity carries us beyond the ties of blood relationship—the simply natural elements of that basis and outside of these l mits the members of the community must enter upon the position of independent personality A review of the patriarchal condition *in extenso* would lead us to give pe cial attention to the theocratical constitution The head of the patriarchal clan is also its priest. If the family in its general relations is not yet separated from civic society and the state the separation of religion from it has also not yet taken place and so much the less since the piety of the hearth is itself a profoundly subjective state of feeling

We have considered two a pects of freedom the objective and the subjective if therefore freedom is as erted to con ist in the individuals of a state all agreeing in its arrangements it is evident that only the subjective aspect is re

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con.ist only in a peculia method oi e p nung and des loping that g n n basis wh reas they eally originate in diversity of princ ple From th comparison therefore of th political instu tu o of th ancient world historical peoples t so happens that f r the mo t ecent princ ple of con titution—fo the pri cipl of our own times—nothi g (so to speak) ca be learned. I sc ence and rt it is qu te otherw se e g the anc ent phil sophy is so decidedly the ba.i of th modern that t is ines tably c ntain d in the latter and onstit tes ts ba is In this case the latt is that f a continuous development f th same tructur whose f undati stone walls d oof ha e emained what they were

dogma especting j st governm t—importing that intell gen a d rt ught to bear sw y —ar indeed common to both But noth ng is so bsurd to look to G eek Romans or Oriental. for models for the polit cal rr n.e ments f our time F om th Ea.t may be d n ed beautif l pictu es f a pat iarchal condi tion f paternal government d f devotion t t on the part f peoples from Greeks and Roma descr ptions of popula liberty Among the la ter w find the idea f free con titution dm t z all th tizens to har in delibera- tion and esol es especting th ffairs and law f t.e common ealth In ou times too t.is is t gen ral eptation only with this modification that—sin our states are so large and there so ma y f th many th latte di ect ction being impos ible should by the indirect method f lecti e s bst tution exp es thei curren th es l es affecting th ommon weal that is that for legislati e pur poses generally th people should be represent ed by depu.ies Th so-called rep esentati e con sti ution that form f government with which w onnect the idea f a free con titution and t.i notion ha becom rooted pr j dice On this theory people and government e sepa-

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jecti e will—a dogma which we have al eady in estigated. The great point is that freed m in its ideal conception has not subjecti e w ll and caprice for its princ ple but the recom tion of the universal will and that the p ocess by which freedom is realized is the free de elop- ment of its succes e stages The subjecti e will is a merely formal determination—a carte

phases a organic members Of this

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At an earlier stage of the discus on we estab lished the two lemental cons de ations first the id a of freed m as th absolute and final aim secondly the mea s for realizing it i.e the ubject e s de of knowled, and w ll w th its lif movem nt and acti ty We then recog nized th tat as the mor l whole and the real ity of f eedom d c nsequently as the objec ti e unity f these two elements For although we mak th distinction into two pects for our co derat o t mu.t be ema ked that they are t mately c ne ted a d that the r con

self lo e as its object n olving at the ame time the pure and mple idea of reason a d likewise that which w ha e called subject— self-consci u ness—spirit a tually ex ti g in the w ld. If the other hand we c s de subject ity we find that ubjecti k owledge and w ll is thou ht But by the very act of thoughtful cogn tion a d lition I w ll th uni ve sal bject—the ub tance of bsolute reason We observe therefo an essential un on be tween the object ve s de—the idea—and the subj cti ide—the personality that conce es and wills t The object e exi.tence of this union is the state which is th efor the bas s and ent of the other concrete lements f the lif of a people—of rt of law of m ral of limo of science All the act ity of spirit has only this object—the becoming c nscious f this uni e f ts own f eedom. Among the forms of this conscious union el g on occupies

adopted in this theoretical manner as if the form of a consitution were a matter of free choice determined by nothing else but reflection Of this artless fashion was that deliberation—not indeed of the Persian *people* but of the Persian *grandees* who had conspired to overthrow the pseudo Smerdis and the Magi after their undertaking had succeeded and when there was no scion of the royal family living—as to what constitution they should introduce into Persia and Herodotus gives an equally naive account of this deliberation

In the present day the constitution of a country and people is not represented as so entirely dependent on free and deliberate choice The fundamental but abstractly (and therefore imperfectly) entertained conception of freedom has resulted in the republic being very generally regarded—in *theory*—as the only just and true political constitution Many even who occupy elevated official positions under monarchical constitutions so far from being opposed to this idea are actually its supporters only they see that such a constitution though the best cannot be realized under all circumstances and that while men are what they are we must be satisfied with less freedom the monarchical constitution—under the given circumstances and the present moral condition of the people—being even regarded as the most advantageous In this view also the necessity of a particular constitution is made to depend on the condition of the people in such a way as if the latter were non essential and accidental This representation is founded on the distinction which the reflective understanding makes between an idea and the corresponding reality holding to an abstract and consequently untrue idea not grasping it in its completeness or—which is virtually though not in point of form the same—not taking a concrete view of a people and a state We shall have to show further on that the constitution adopted by a people makes one substance—one spirit—with its religion its art and philosophy or at least with its conceptions and thoughts—its culture generally not to expatiate upon the additional influences *ab extra* of climate of neighbors of its place in the world. A state is an individual totality of which you cannot select any particular side although a supremely important one

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connected with and dependent on those other spiritual forces but the form of the entire mor

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velopm whole—with its place preappointed in the process a fact which gives the highest sanction to the constitution in question and establishes its absolute necessity The origin of a state involves imperious lordship on the one hand instinctive submission on the other But even obedience—lordly power and the fear inspired by a ruler—in itself implies some degree of voluntary connection Even in barbarous states this is the case it is not the isolated will of individuals that prevails individual pretensions are relinquished and the general will is the essential bond of political union This unity of the general and the p

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stat u regal power whether of patriarchal or military origin In the next phase particularity and individuality assert themselves in the form of aristocracy and democracy Lastly we have the subjection of these separate interests to a single power but which can be absolutely none other than one outside of which those spheres ha e

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This process is necessitated so that the form of government assigned to a particular stage of development *must* present itself it is therefore no matter of choice but is that form which is adapted to the spirit of the people

In a constitution the main feature of intere t is the self development of the *rational* that i the *political* condition of a people the setting free of the successive elements of the idea o that the several powers in the state manife t themselves as separate att

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are held form an organic whole. The state is thus the embodiment of rational freedom realizing and recognizing it elf in an objective form For its objectivity consists in this—that its successive stages are not merel ideal but are present in an appropriate reality and that in their separate and several working they are absolutely merged in that agency by which the totality—the soul the individuate unity—is produced and of which it is the result

The state is the idea of spirit in the external manifestation of human will and its freedom It

is to the state the efore that ha g in the as pe t of hist ry indi solubly atta hes itself and h ucces. e pha.es of the dea manifest them — ~ The eo- liar ral se ould the differences uuuu cons t o ly n a peculiar m thod of expanding and developing that ge ric bas s wh eas they — F m ti es t happe .s that f the mo.t rece t pi pl of tituti n—f r the principle of our wn times—n th g (s t speak) can be learn d. In sci ce and rt t is quit otherwise e g th an ent phil sophy so dec dedly the ba.is of the modern that t is in tably c tained in the latter d con tit tes ts basis In this case the r lat is that f co tin ou devel pm nt of the same tructure wh se foundation st n walls and oof ha remained what they were C ~k f riginal form fur

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tion d esol es especti g the ffairs and laws f th commonwealth I ur times too this t ge ral cept tio nly with this modifi tion that—sin e ur states re o large a d th re o many f the many th latter direct action being impos ible should by the indi ect m thod f l cti e subst tuti n exp ss th curre w th es l es ffecting th common weal that s that fo l gislati e pur poses generally the people should be ep esent ed by deputies Th so-called rep esent t c titut o is that f rm f g ernment with which we connect the dea f free tit tion and this n tion has bec m a ooted prej dice On this theory people and go ernment are sepa

rated But there is a perversity in this t thes s an ill interti ned ruse des gned to insinuate that th people are th totality of the state Besides ~~ ~ l f olated

estigated. The g ta po ~ deal co ception has not subjecti e will and caprice for its principle but the recognition of the uni ersal will and that the process by which freedom is realized is the free de elop- Th h ct e

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At n earlier stage of th di cuss on we estab- lished the two leme tal co s derations first the *dea of freed m as the absolute* and fi al aim secondly the *means* for realizing it *i e* the subject e s de of kn wled, and w ll with \ h

our co d rat o t must be remarked that they are intimately con cted and that th r co h wh

the wo ld. If the ther hand we c side subject ity we find that s bjecti e knowledge and w ll s th ht B t by the rv act of tho ghtful gnitio and voli t I will th uni versal bj ct—th ub tance f ab l te reason We bserve ther f e an esse tial uni n be tween the bjecti s de—the dea—and the subj ct side—the personality th t con es and wills it The *object* v existe ce of this union is the state whi h is therefore the bas s and ent of the oth c cr t lem ts of the life of people—of art of l w of m rals f religi f cienc All th acti ity of sp rit has only this bject—th bec ming consci us of this uni of ts own freedom. Amo g the form of this con.ci us un on *l gion* occupies

the highest position In it spirit—rising above the limitations of temporal and secular exist
[illegible]

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limited and [illegible]
es his renu [illegible]
individual feelings The religious concentration of the soul appears in the form of feeling it nevertheless passes also into reflection a form of worship (*cultus*) is a result of reflection The second form of the union of the objective and subjective in the human spirit is *art* This advances farther into the realm of the actual and sensuous than religion In its noblest walk it is occupied with representing not indeed the spirit of God but certainly the form of God and in its secondary aims that which is divine and spiritual generally Its office is to render visible the divine presenting it to the imaginative and intuitive faculty But the true is the object not only of conception and feeling as in religion —and of intuition as in art—but also of the thinking faculty and this gives us the third form of the union in question—*philosophy* This is consequently the highest freest and wisest phase Of course we are not intending to investigate these three phases here they have only suggested themselves in virtue of their occupying the same general ground as the object here considered—the *state*

The general principle which manifests itself and becomes an object of consciousness in the state the form under which all that the state includes is brought is the whole of that cycle of phenomena which constitutes the *culture* of a nation But the definite *substance* that receives the form of universality and exists in that concrete reality which is the state—is the spirit of the people itself The actual state is animated by this spirit in all its particular affairs—its wars institutions etc But man must also attain a conscious realization of this his spirit and essential nature and of his original identity with it For we said that morality is the identity of the *subjective* or *personal* with the *universal* will Now the mind must give itself an express consciousness of this and the focus of this knowledge is *religion* Art and science are only various aspects and forms of the same substantial being In considering religion the chief point of inquiry is whether it recognizes the true—the idea—only in its separate abstract form or in its true unity in *separation*—God being represented in an abstract form as the Highest Being Lord of heaven and earth living in a remote region far from human actualities—or in its *unity*—God as unity of the universal and individual the individual itself assuming the aspect of positive and real existence in the idea of the incarnation Religion is the sphere in which a nation gives itself the definition of that which it regards as the true A definition contains everything that belongs to the essence of an object reducing its nature to its simple characteristic predicate as a mirror for every predicate—the generic soul pervading all its detail The conception of God therefore constitutes the general basis of a people s character

In this aspect religion stands in the closest connection with the political principle Freedom can exist only where individuality is recognized as having its positive and real existence in the Divine Being The connection may be further explained thus —secular existence as merely temporal—occupied with particular interests—is consequently only relative and unauthorized and receives its validity only in so far as the universal soul that pervades it—its principle—receives absolute validity which it cannot have unless it is recognized as the definite manifestation the phenomenal existence of the Divine Essence On this account it is that the state rests on religion We hear this often repeated in our times though for the most part nothing further is meant than that individual subjects as God fearing men would be more disposed and ready to perform their duty since obedience to king and law so naturally follows in the train of reverence for God This reverence indeed, since it exalts the general over the special may even turn upon the latter become fanatical and work with incendiary and destructive violence against the state its institutions and arrangements Religious feeling therefore it is thought should be sober kept in a certain degree of coolness that it may not storm against and bear down that which should be defended and preserved by it The possibility of such a catastrophe is at least latent in it

While however the correct sentiment is adopted that the state is based on religion the position thus assigned to religion supposes the state already to exist and that subsequently in order to maintain it religion must be brought into it—in buckets and bushels as it were—and impressed upon people s hearts It is quite true that men must be trained to religion but not as to something whose existence has yet to begin For in affirming that the state is based on re

Eneon—that has its roots in it—we virtually assert that the former has proceeded from the latter; and that this derivation is going on now and will always continue; i.e. the principles of the state must be regarded as valid in and for themselves, which can only be in so far as they are recognized as determinate manifestations of the Divine Nature. The form of religion, therefore, decides that of the state and its constitution. The latter actually originated in the particular religion adopted by the nation; so that, in fact, the Athenian or the Roman state was possible only in connection with the specific form of heathenism existing among the respective peoples; just as a Catholic state has a spirit and constitution different from that of a Protestant one.

If that outcry—that urging and striving for the implantation of religion in the community—were an utterance of anguish and a call for help, as it often seems to be, expressing the danger of religion having vanished, or being about to vanish entirely from the state—that would be fearful indeed—worse in fact, than this outcry supposes, for it implies the belief in a resource against the evil, for the implantation and inculcation of religion is an interest; religion is by no means a thing to be so produced; its self production (and there can be no other) lies much deeper.

Another and opposite folly which we meet with in our time, is that of pretending to invent and carry out political constitutions independently of religion. The Catholic confession, although sharing the Christian name with the Protestant, does not concede to the state an inherent justice and morality—a concession on which in the Protestant principle is fundamental. This tearing away of the political morality of the constitution from its natural connection, is necessary to the genius of that religion, inasmuch as it does not recognize justice and morality as independent and substantial. But thus excluded from intrinsic worth—torn away from their last retreat, the sanctuary of conscience—the calm retreat where religion has its abode—the principles and institutions of political legislation are destitute of a real centre, to the same degree as they are compelled to remain abstract and indefinite.

Summing up what has been said of the state, we find that we have been led to call its vital principle, as actuating the individuals who compose it, morality. The state, its laws, its arrangements, constitute the rights of its members; its natural features, its mountains, air, and waters are *their* country, their fatherland, their outward material property; the history of this state, *their deeds*; what their ancestors have produced, belongs to them and lives in their memory. All is their possession, just as they are possessed by it; for it constitutes their existence, their being.

Their imagination is occupied with the ideas thus presented, while the adoption of these laws, and of a fatherland so conditioned is the expression of their will. It is this matured totality which thus constitutes *one* being, the spirit of *one* people. To it the individual members belong; each unit is the son of his nation, and at the same time in as far as the state to which he belongs is undergoing development, the son of his age. None remains behind it, still less advances beyond it. This spiritual being (the spirit of his time) is his; he is a representative of it; it is that in which he originated, and in which he lives. Among the Athenians the word *Athens* had a double import; suggesting primarily a complex of political institutions, but no less, in the second place, that goddess who represented the spirit of the people and its unity.

This spirit of a people is a *determinate* and particular spirit, and is, as just stated, further modified by the degree of its historical development. This spirit, then, constitutes the basis and substance of those other forms of a nation's consciousness, which have been noticed. For spirit in its self-consciousness must become an object of contemplation to itself, and objectivity involves in the first instance the rise of differences which make up a total of distinct spheres of objective spirit; in the same way as the soul exists only as the complex of its faculties, which in their form of concentration in a simple unity produce that soul. It is thus *one individuality* which, presented in its essence as God, is honoured and enjoyed in *religion*; which is exhibited as an object of sensuous contemplation in *art*; and is apprehended as an intellectual conception in *philosophy*. In virtue of the original identity of their essence, purport, and object, these various forms are inseparably united with the spirit of the state. Only in connection with this particular religion, can this particular political constitution exist; just as in such or such a state, such or such a philosophy or order of art.

The remark *next in order is* that each particular national genius is to be treated as only one individual in the process of universal history. For that history is the exhibition of the divine, absolute development of spirit in its highest forms—that gradation by which it at

the highest position In it spirit—rising above the limitations of temporal and secular existence—becomes conscious of the absolute spirit and in this consciousness of the self existent Being renounces its individual interest it lays this aside in devotion—a state of mind in which it refuses to occupy itself any longer with the limited and particular By sacrifice m —
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Its expansion, therefore does not present the harmless tranquillity of mere growth, as does that of organic life, but a stern reluctant working against self It exhibits in reover not the mere formal conception of development but the attainment of a definite result. The goal of that attainment we determined at the outset it is ... its essential na...

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meaning and importance (as in the Roman history Rome is the object—consequently that which directs our consideration of the facts related) as conversely the phenomena of the process have resulted from this principle alone and only as referred to it, possess a sense of value. There are many considerable periods in history in which this development seems to have been intermitted in which, we might rather say, the whole enormous gain of previous culture appears to have been entirely lost after which, unhappily a new commencement has been necessary made in the hope of recovering—by the assistance of some remains saved from the wreck of a former civilization, and by dint of a renewed incalculable expenditure of strength and time—one of the regions which had been an ancient possession of that civilization. We behold also continued processes of growth structures and systems of culture in particular spheres, rich in kind, and well developed in every direction. The merely formal and indeterminate view of development in general can neither assign to one form of expansion superiority over the other nor render comprehensible the object of that decay of older periods of growth but must regard such occurrences —or to speak more particularly the retrocessions they exhibit—as external contingencies and can only judge of particular modes of development from indeterminate points of view which—since the development as such is all in all—are relative and not absolute goals of attainment.

Universal history exhibits the gradation in the development of that principle whose substantial purport is the consciousness of freedom. The analysis of the successive grades in their abstract form belongs to logic in their concrete aspect to the philosophy of Spirit. Here it is sufficient to state that the first step in the process presents that immersion of Spirit in nature which has been already referred to the second shows it as advancing to the consciousness of its freedom. But this initial separation from nature is imperfect and partial, since it is derived immediately from the merely natural state is consequently related to it, and is still encumbered with it as an essentially connected element. The third step is the elevation of the soul from this still limited and special form of freedom to its pure universal form that state in which the spiritual essence attains the consciousness and feeling of itself These grades are the ground-principles of the general process but how each of them on the other hand involves within itself a process of formation, constituting the links in a dialectic of transition to particularize this must be reserved for the sequel.

Here we have only to indicate that spirit begins with a germ of infinite possibility but *only* possibility—containing its substantial existence in an undeveloped form, as the object and goal which it reaches only in its resultant—full reality. In actual existence progress appears as an advancing from the imperfect to the more perfect but the former must not be understood abstractly as *only* the imperfect, but as something which involves the very opposite of itself —the so-called perfect—as a *germ* or impulse. So—reflectively at least—*possibility* points to something destined to become actual the Aristotelian δύναμις is also *potentia* power and

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the instinctive movement, the inherent impulse in the life of the soul, to break through the rind of mere nature sensuousness and that which is alien to it, and to attain to the light of consciousness i.e. to itself

We have already made the remark how the commencement of the history of spirit must be conceived so as to be in harmony with its idea —in its bearing on the representations that have been made of a primitive *natural* condition, in which freedom and justice are supposed to exist, or to have existed. This was however nothing more than an assumption of historical existence, conceived in the twilight of theorizing reflection. A pretension of quite another order—not a mere inference of reasoning but making the claim of historical fact and that supernaturally confirmed—is put forth in connection with a different view that is now widely promulgated by a certain class of speculatists This view takes up the idea of the primitive paradisiacal condition of man, which had been previously expanded by the theologians after their fashion—involving e.g. the supposition that God spoke with Adam in Hebrew—but remodelled it to suit other requirements The high

tains its truth and consciousness of itself The forms which these grades of progress assume are the characteristic national spirits of history the peculiar tenor of their moral life of their government their art religion and science To realize these grades is the boundless impulse of the world spirit—the goal of its irresistible urging for this division into organic members and the full development of each is its idea Universal history is exclusively occupied with showing how spirit comes to a recognition and adoption of the truth the dawn of knowledge appears it begins to discover salient principles and at last it arrives at full consciousness

Having therefore learned the abstract characteristics of the nature of spirit the means which it uses to realize its idea and the shape assumed by it in its complete realization in phenomenal existence—namely the state—nothing further remains for this introductory section to contemplate but

III *The course of the world s history* The mutations which history presents have been long characterized in the general as an advance to something better more perfect The changes that take place in nature—how infinitely manifold soever they may be—exhibit only a perpetually self repeating cycle in nature there happens nothing new under the sun and the multiform play of its phenomena so far induces a feeling of *ennui* only in those changes which take place in the region of spirit does anything new arise This peculiarity in the world of mind has indicated in the case of man an altogether different destiny from that of merely natural objects—in which we find always one and the same stable character to which all change reverts—namely a *real* capacity for change and that for the better an impulse of *perfectibility* This principle which reduces change itself under a law has met with an unfavorable reception from religions—such as the Catholic—and from

ories and institutions to accidents or imprudence—but principally to the levity and evil

has no standard by which to estimate the changes in question the improved more perfect state of things towards which it professedly tends is alto ether undetermined

The principle of *development* involves also the existence of a latent germ of being—a capacity or potentiality striving to realize itself This formal conception finds actual existence in pirit which has the history of the world for its theatre its possession and the sphere of its realization It is not of such a nature as to be tossed to and fro amid the superficial play of accidents but is rather the absolute arbiter of things entirely unmoved by contingencies which indeed it applies and manages for its own purposes Development however is also a property of organized natural objects Their existence presents itself not as an exclusively dependent one subjected to external changes but as one which expands itself in virtue of an internal unchangeable principle a simple es ence —whose existence *i e* as a germ is primarily simple—but which subsequently develops a variety of parts that become involved with other objects and consequently live through a continuous process of changes—a process nevertheless that results in the very contrary of change and is even transformed into a *vis conservatrix* of the organic principle and the form embodying it Thus the organized *individuum* produces itself it expands itself *actually* to what it was always *potentially* So pirit is only that which it attains by its own efforts it makes itself *actually* what it always was *potentially* That development (of *natural organisms*) takes place in a direct unopposed unhindered manner Between the idea and its realization the essential constitution of the original germ and the conformity to it of the existence derived from it no disturbing influence can intrude But in relation to spirit it is quite otherwise The realization of *its* idea is mediated by consciousness and will these very faculties are in the fir t instance sunk in their primary *merely* natural life the first object and goal of their striving is the realization of their merely natural destiny—but which since it is pirit that animates it is posse sed of vast attractions and displays great power and richness Thus spirit is at war with itself it has to overcome itself as its mo t formidable obstacle That development which in the sphere of nature is a peaceful growth is in that of pirit a severe a mighty conflict with itself What spirit really trives for is the realization of its ideal being but in doing so it hides that goal from its own vision and is proud and well satisfied in this alienation from it

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tory p esents in d t l, that common chara te istic principl m y be detected. That such r

torically pro ed l cc u.p tm p poses t only a disc plined f culty of abstrac t o but timate quaint_nce with the idea The in stigato must be familiar *a pr ori* (if we I'ke t c ll t o) with the whole c l of con ceptions t which the princ ples in q sti b lo g—just K pler (to ame th most ilus tri us exampl in this mode of philosophizing) must ha been familiar *priori* with ellipses with c bes d squa e d with deas f thei lat bef e he c uld di e from the mp cal data th se mm rtal laws f his whi h r e oth th form f thought per taini g t th se classes of co ceptions He wh is u f miliar with th ci e that mbraces these b t t element ry concept ns is a little apable th ugh he may ha gazed o the firm ment nd th m tions f the lestial bodi for lif time of *und tand g* those la s as of *d overi g* them. F om this wa t f acq t with the idea that elate to th devel p m t f freed m p oc d part of those bjec tion which a e b ought against the philos phical ns d ration f c usually ega ded e f m expe en e th so-called *priori* m thod d the attempt to in uate de t the emp ri al data f history being the chief point in the indictment Whe e thus d fic e cy n t h ept ons appear lien—n t lying within the bj ct of in estigati n. T minds h se training ha been narrow nd m ly b- jects hi h ha t an acquainta d f m li rity th deas th y e som thing trange —n t mbra ed in th t and concepti f the ubject wh h thei lim ted intell ct f rms Hen th tatement that philosophy does t understand h ci es It mu_t indeed ll w th t t has t that kind f und rstanding whi h th prevaili g on in th d main of those sc en es that t does t p oc ed acc din, t th categories f h und rsta ding but ac cordi g to the categories of *reason*—though at the same time recognizing that understanding and its t ue alue and po tion It mu t be ob- erved that in this ery process of c entific *und rstand g* it is of importance that the es_enti l ho ld b di_tinguished and brought into eli f in co tra_t w th the so-called non e ential But in rder t render this po_s ble we mu_t kn w what *is sse t al* and that is—in iew of the history of the world in general—the consci us ess of freedom and the phases which this con_c usne_s a sumes in de eloping it elf The beari g of historical f cts on this category is their be ring o the truly esse tial Of the dif ficulties stated and the pposition exhib ted to comprehens e co cept ons in science part must be ferred to the nab l ty to grasp a d under sta d ideas If in n tu l history ome monstrous hybrid growth s alleged s an objection to the recognitio of cle r and i dub t_ble classes or pecies a uffic_nt reply is furni hed by a enti me t fte vaguely urged that the except on

keep its genera and pe es pure whe c nflict ing w th ali n elem ntary infl ence If *e g* on cons dering th human o ganizati n in its con crete a_pect we assert that brai heart, and so forth ar ssential to tso ganic life ome mi er

th less brain and he rt is f und If s ch an in tance is quoted gainst the general co ception f a human b g—the object persist ing in using th ame coupled with a superfici l idea especting it—it can be pr d that a real concrete human being truly different object that h a being must have a brain in its head and a heart in its b ea t

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markable one going back to the most ancient times India has not only ancient books relating to religion and splendid poetical productions but also ancient codes the existence of which latter kind of literature has been mentioned as a condition necessary to the origination of history —and yet history itself is not found But in that country the impulse of organization in beginning to develop social distinctions was immediately petrified in the merely natural classification *according to castes so that although the* laws concern themselves with civil rights they make even these dependent on natural distinctions and are especially occupied with determining the relations (wrongs rather than rights) of those classes towards each other *i e* the privileges of the higher over the lower Consequently the element of morality is banished from the pomp of Indian life and from its political institutions Where that iron bondage of distinctions derived from nature prevails the connection of society is nothing but wild arbitrariness transient activity or rather the play of violent emotion without any goal of advancement or development Therefore no intelligent reminiscence no object for Mnemosyne presents itself and imagination—confused though profound—expatiates in a region which to be capable of history must have had an aim within the domain of reality and at the same time of substantial freedom

Since such are the conditions indispensable to a history it has happened that the growth of families to clans of clans to peoples and their *local diffusion consequent upon this numerical* increase—a series of facts which itself suggests so many instances of social complication war revolution and ruin a process which is so rich in interest and so comprehensive in extent has *occurred without giving ri e to history more* over that the extension and organic growth of the empire of articulate sounds has itself remained voiceless and dumb—a stealthy unnoticed advance It is a fact revealed by philo

region with great ingenuity and completeness For grammar in its *extended and consistent* form is the work of thought which makes its categories distinctly visible therein It is more

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phenomenon—that the progress towards a more highly intellectual condition while expanding and cultivating rationality should disregard that intelligent amplitude and expressiveness—should find it an obstruction and contrive to do without it Speech is the act of theoretic intelligence in a special sense it is its *external* manife tation Exercises of memory and imagination without language are direct manifestations But this act of theoretic intelligence itself as *also its subsequent development and the more* concrete class of facts connected with it—i the spreading of peoples over the earth their separation from each other their comminglings and wanderings—remain involved in the obscurity of a voiceless past They are not acts of will becoming self conscious—of freedom mirroring itself in a phenomenal form and creating for itself a proper reality Not partaking of thi element of substantial veritable existence those nations notwithstanding the development of language among them never advanced to the possession of a *history* The rapid growth of language and the progress and d spersion of nations assume importance and interest for concrete reason only when they have come in contact with states or begin to form political constitutions themselve

After these remarks relating to the form of the *commencement* of the world s history and

ther definition of the subject in the concrete comes under the head of arrangement

Universal history as already demonstrated shows the development of the consciousness of freedom on the part of spirit and of the con e

freedom which result from its idea The logical and as still more prominent the *dialectical* nature of the idea in general *viz* that it is self *determined—that it assumes successive* forms which it successively transcend and by this very process of transcending its earlier stages gains an affirmative and in fact a richer and more concrete shape this necessity of its nature *and the neces ary series of pure abstract forms* which the idea successively assumes is exhibited in the department of *logic* Here we need adopt only one of its results *viz* that every step in the process as differing from any other has its de*terminate peculiar principle In history this prin*ciple is id osyncrasy of spirit—peculiar national

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these b t t l m tary co eption is s little apable though he m y ha e ga ed on th firma ment d th m ti of th cel stial b dies f r l f t m f *und t d* g th e l ws s f *d* *n* g them F m this wa t of q aint with th deas th t late t the dev l p- m t f f ed m p oceed p rt f thos objec t whi h b ought gainst th phil sophical c d rat on f a sc ence usually r ga d d as f mer experienc the so-call d *priori* m th d d th ttempt t inuat id as into th emp l d t f hi t ry being th h f point in th di tm t Wh e this defi e y n t h ept ppe hen—not lying w th the bj t f in t gation To minds hose traini g ha bee narr w d m rely sub- jects hi h h e t an quaintanc and f m l nty th de s th y omethin strang — t mbra ed n the ot d eptio f th bj t h h the limit d intell ct f rm Hen the t tem t that phil s phy does n t und tands h es It m t d ed all w that t has t that ki d f understa ding whi h th p l g o in th d main of those sc en es that t does t p oc ed a d t the categ ries of h underst ding b t ac

has been co c d in a human b dy and has breath d fter b rth th ef om—in which nev th l ss no brain and o he rt is f und If s ch an instanc is quoted gainst the g neral c n epti n of a human b g—the object persist ing in using the name coupled with a superfic al d a e pecting t— t can be pr d that a real c crete h m being s truly differe t bject that uch a being must ha e a brain in its head and a heart in it b ea t

A similar process f reas ing is ad pted in f enc t the c rr t ass rt n that *genius* talent, moral virtues and sentim ts a d p ty may be found in e ery under ll polit cal

tainly fall unde o princ pl ecogniz d by such categ s That intelle tual position which

adopts such merely formal points of view presents a vast field for ingenious questions erudite views and striking comparisons for profound seeming reflections and declamations which may be rendered so much the more brilliant in proportion as the subject they refer to is indefinite and are susceptible of new and varied forms in inverse proportion to the importance of the results that can be gained from them and the certainty and rationality of their issues Under such an aspect the well known Indian epopees may be compared with the Homeric perhaps since it is the vastness of the imagination by which poetical genius proves itself preferred to them as on account of the similarity of single strokes of imagination in the attributes of the divinities it has been contended that Greek mythological forms may be recognized in those of India Similarly the Chinese philosophy as adopting the One as its basis has been alleged to be the same as at a later period appeared as Eleatic philosophy and as the Spinozistic system while in virtue of its expressing itself also in abstract numbers and lines Pythagorean and Christian principles have been supposed to be detected in it Instances of bravery and indomitable courage traits of magnanimity of self denial and self sacrifice which are found among the most savage and the most pusillanimous nations are regarded as sufficient to support the view that in these nations as much of social virtue and morality may be found as in the most civilized Christian states or even more And on this ground a doubt has been suggested whether in the progress of history and of general culture mankind have become better whether their morality has been increased—morality being regarded in a subjective aspect and view as founded on *what the agent holds to be right and* wrong good and evil not on a principle which is considered to be in and for itself right and good or a crime and evil or on a particular religion believed to be the true one

We may fairly d cline on this occasion the task of tracing the formalism and error of such a view and establishing the true principles of morality or rather of social virtue in opposition to false morality For the history of the world occupies a higher ground than that on which morality has properly its position which is personal character the conscience of individuals their particular will and mode of action *these* have a value imputation reward or punishment proper to themselves What the absolute aim of spirit requires and accomplishes what providence does transcends the obligations and the liability to imputation and the ascription of good or bad motives which attach to individuality in virtue of its social relations They who on moral grounds and consequently with noble intention have resisted that which the advance of the spiritual idea makes neces ary stand higher in moral worth than those who e crimes have been turned into the means—under the direction of a superior principle—of realizing the purpo es of that principle But in such revolutions both parties generally stand within the limits of the same circle of transient and corruptible existence Consequently it is only a formal rectitude deserted by the living Spirit and by God which those who stand upon ancient right and order maintain The deed of great men who are the individuals of the world s hi tory thus appear not only justified in view of that intrinsic result of which they were not conscious but also from the point of view occupied by the secular moralist But looked at from this point moral claims that are irrelevant must not be brought into collision with world historical deeds and their accomplishment The litany of private virtues—modesty humility philanthropy and forbearance—must not be raised against them The history of the world might on principle entirely ignore the circle within which morality and the so much talked of distinction between the moral and the politic lies—not only in abstaining from judgments for the principles involved and the necessary reference of the deeds in question to those principles are a sufficient judgment of them—but in leaving individuals quite out of view and unmentioned What it has to record i the activity of the spirit of peoples so that the individual forms which that spirit has assumed in the sphere of outward reality might be left *to the delineation of special histories*

The same kind of formalism avails itself in its peculiar manner of the indefiniteness attaching to genius poetry and even philosophy thinks equally that it find the e everywhere We have here products of reflective thought and it is familiarity with those general conceptions which single out and name real distinctions without fathoming the true depth of the matter that we call culture It is something merely formal inasmuch as it aims at nothing more than the analysis of the subject whatever it be into its constituent parts and the comprehension of these in their logical definitions and forms It is not the free universality of conception necessary for making an abstract principle the object of consciousness Such a consciousness of thought itself and of its forms isolated from a particular

bject, is phil sophy This has, indeed, th c n culture that co di

d. ren d b ren

empiri al datum in whose format tu u, m had sh re

But t is quite as much an act of thou ht of the understanding particula t embrac in e simpl c ception object which f it. If omp eh ds co crete d larg gnificance (as earth man A exande or Cæsar) and t design te t by n w d, as t ol s h on ept o duly t l. lat in d th co cep-

and brings them down and attenu es in in b tra t g dles ge eralit s—thought will be compelled to become thinki g reason with the ew of effecting in it own elem nt th restora tio of its p in ples f om th ruin to which they had bee b ou ht.

We find th it is true amo g all wo ld historical peoples poetry pla tic rt cien e e en philosophy but not nly is there a di er ity in tyle and bearing ge erall but still more remarkably in subject matter and this is mport t d ff cun

what we incl d under the gen ral t rms genius talent rt science—formal culture every grade f int llectual dev lopment n t only can

th ir tents—and to maintain that it is the beautiful f rm such the grandeur of the fancy and so f rth which fi e art aims t and whi h must be ons dered and e j y d by a liberal ta te and cult ated mind. A healthy m t llect does not t l rate such abstractions and cannot as milate p oduct ons of th kind bove ref rred to Granted that the Indian epopees might be placed on level with th Homeric on c unt of mber of those qualities f f rm—grandeur f in enti n and imaginative pow h eliness f images and emoti ns and bea ty of dict n et th infinit differen e of m tt mains nseque tly one of substantial importance and in l ing the i te est of reas n whi h is immediately co cerned with the con *sc usness of the idea* f f eed m and its ex p es n in indi duals The is not only a clas al *form* but lassical rde of *subj ct m tter* and in a w k f art f rm and s bject matt re s closely united that th forme can nly be lass cal t th extent to which th latt is W th fantastical ind terminate material —and *ul* is th essen of *reas n*—the form becomes measureless and f rmless o mean and co tracted. In the same way i that omparison of the an us systems f philosophy of which w ha e l eady spoken the only point of im port i ove looked, namely th haract f that unity which is found alik in the Chine e

th ecess ty of f rmal culture—consequently f the rise of the sciences and of cultivated poetry and rt generally Th arts des gna ed *p ast* equir bes des en in the r technical aspect th ci lized a sociation of men. Th poeti rt—which has les eed of xt rnal re qui ement d mean and which has the l ment f immediat exi ten e th c as its material—steps f rth with gre t boldness and th mat ed exp es on en under th condi t ons presented by peopl t yet uni ted in a poli cal ombinat ce as rem ked bo li guag tain on t wn part cula gr und high intell tual dev lopment pri t th m men ement f ci lizati

Philosoph lso mu t mak ts ppe rance her polit al l.f n ts in th t in irtue f wh h any series f ph m na is reduced within th sphere f cult e, above stated is the f rm trictly prope t th ught d thus f philosophy h h is thing oth tha th onsciou ne s of this f rm tself—th thinking f thinking—the mat rial of whi h ts edific

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E ery Engl hm will say We a e the m who n gat th ocean a d ha e the comme ce f the w ld to whom the East I dies bel g a d th rich s who ha e a parliament j rie tc The rel t o of the di d al to th t p rit is that h app p iatest h mself this substant al exist c that t be m his h ct r d capabil ty en bling h m to h e defin te plac in the w ld—t b m th g Fo he finds the —

the Eleatic and the Spinozistic philosophy—the distinction between the recognition of that unity as abstract and as concrete—concrete to the extent of being a unity in and by itself—a unity synonymous with spirit. But that co-ordination proves that it recognizes only such an abstract unity; so that while it gives judgment respecting philosophy, it is ignorant of that very point which constitutes the interest of philosophy.

But there are also spheres which, amid all the variety that is presented in the substantial content of a particular form of culture, remain the same. The difference above mentioned in art, science, philosophy, concerns the thinking reason and freedom, which is the self-consciousness of the former, and which has the same one root with thought. As it is not the brute, but only the man that thinks, he only, and only because he is a thinking being, has freedom. *His* consciousness imports this, that the individual comprehends itself as a *person*, that is, recognizes itself in its single existence as possessing universality, as capable of abstraction from, and of surrendering all speciality; and, therefore, as inherently infinite. Consequently those spheres of intelligence which lie beyond the limits of this consciousness are a common ground among those substantial distinctions. Even morality, which is so intimately connected with the consciousness of freedom, can be very pure while that consciousness is still wanting; as far, that is to say, as it expresses duties and rights only as *objective commands*; or even as far as it remains satisfied with the merely formal elevation of the soul—the surrender of the sensual, and of all sensual motives—in a purely negative, self-denying fashion. The *Chinese* morality, since Europeans have become acquainted with it and with the writings of Confucius, has obtained the greatest praise and proportionate attention from those who are familiar with the Christian morality. There is a similar acknowledgment of the sublimity with which the *Indian* religion and poetry (a statement that must, however, be limited to the higher kind), but especially the Indian philosophy, expatiate upon and demand the removal and sacrifice of sensuality. Yet both these na

like natural laws; external positive commands; claims established by force; compulsory duties or rules of courtesy towards each other. Freedom, through which alone the essential determinations of reason become moral sentiments, is wanting. Morality is a political affair, and its laws are administered by officers of government and legal tribunals. Their treatises upon it (which are not law books, but are certainly addressed to the subjective will and individual disposition) read, as do the moral writings of the Stoics, like a string of commands stated as necessary for realizing the goal of happiness; so that it seems to be left free to men, on their part, to adopt such commands, to observe them or not; while the conception of an abstract subject, "a wise man," forms the culminating point among the Chinese, as also among the Stoic moralists. Also in the Indian doctrine of the renunciation of the sensuality of desires and earthly interests, positive moral freedom is not the object and end, but the annihilation of consciousness—spiritual and even physical privation of life.

It is the concrete spirit of a people which we have distinctly to recognize, and since it is spirit it can only be comprehended spiritually, that is, by thought. It is this alone which takes the

an advance not only to the *intuition*, but to the *thought*—the clear conception of itself. This it must and is also destined to accomplish; but the accomplishment is at the same time its dissolution, and the rise of another spirit, another world-historical people, another epoch of universal history. This transition and connection lead us to the connection of the whole—the idea of the world's history as such—which we have now to consider more closely, and of which we have to give a representation.

History in general is therefore the development of spirit in *time*, as nature is the development of the idea in *space*.

If then we cast a glance over the world's history generally, we see a vast picture of changes and transactions; of infinitely manifold forms of peoples, states, individuals, in unresting succession. Everything that can enter into and interest the soul of man—all our sensibility to *goodness, beauty, and greatness*—is called into play. On every hand aims are adopted and pursued, which we recognize, whose accomplishment we desire—we hope and fear for them. In all these occurrences and changes we behold human action and suffering predominant; everywhere something akin to ourselves, and therefore everywhere something that excites our interest for or against. Sometimes it attracts us by beauty, freedom, and rich variety; sometimes

ideal, and distinct from its "real" activity.

At such a time therefore we are sure to see people finding satisfaction in the *desire* for pure pursuing that about virtue partly as a substitute for actual virtue but partly in the place of it. On the other hand pure universal thought, since its nature is universality is apt to bring the species—belief trust, customary and spontaneous—belief trust, customary m rality—to reflect upon itself and its primitive simplicity; to show up the limitation with which it is fettered, partly suggesting reason for renouncing duties partly itself *demanding* reasons and the connection of such requirements with universal thought and not finding that connection seeking to impeach the authority of duty generally as destitute of a sound foundation.

At the same time the isolation of individuals from each other and from the whole makes its appearance their aggressive selfishness and vanity; their seeking personal advantage and consulting this at the expense of the state at large. That inward principle in transcending its outward manifestations is subjective also in *form*—viz. selfishness and corruption in the unbound passions and egotistic interests of men.

Zeus therefore who is represented as having put a limit to the devouring agency of Time and staid this transiency by having established something inherently and independently durable—Zeus and his race are themselves swallowed up and that by the very power that produced them—the principle of thought perception, reasoning, insight derived from rational grounds, and the requirement of such grounds.

Time is the negative element in the sensuous world. Thought is the same negativity but it is the deepest, the infinite form of it in which therefore all existence generally is dissolved; first finite existence *determinate* limited form; but existence generally in its objective character limited; it appears therefore as a mere datum—something immediate—authority;—and is either intrinsically finite and limited or presents itself as a limit for the thinking subject and its infinite reflection on itself.

But first we must observe how the life which proceeds from death is itself on the other hand, only individual life; so that regarding the species as the real and substantial in this vicissitude the perishing of the individual is a regress of the species into individuality. The perpetuation of the race is therefore none other than the monotonous repetition of the same kind of existence. Further we must remark how perception—the comprehension of being by thought—is

the source and birthplace of a new and in fact higher form, in a principle which while it preserves dignifies its material. For thought is that universal—that *species* which is immortal, which preserves identity with itself. The particular form of spirit not merely passes away in the world by natural causes in time but is annulled in the automatic self mirroring activity of consciousness. Because this annulling is an activity of thought, it is at the same time conservative and elevating in its operation. While then on the one side spirit annuls the reality, the permanence of that which it *is*, it gains on the other, the essence, the thought, the universal element of that which it *only was*. Its principle is no longer that immediate import and aim which it was previously but the *essence* of that import and aim.

The result of this process is then that spirit in rendering itself objective and making this its being an object of thought, on the one hand destroys the determinate form of its being, on the other hand gains a comprehension of the universal element which it involves and thereby gives a new form to its inherent principle. In virtue of this, the substantial character of the national spirit has been altered—that is its principle has risen into another and in fact a higher principle.

It is of the highest importance in apprehending and comprehending history to have and to understand the thought involved in this transition. The individual traverses as a unity various grades of development and remains the same individual; in like manner also does a people, till the spirit which it embodies reaches the grade of universality. In this point lies the fundamental, [illegible] tion. This is the soul

tality is activity; it is the transcending of immediate simple unreflected existence the negation of that existence and the returning into itself. We may compare it with the seed, for with this the plant begins yet it is also the result of the plant's entire life. But the weakness of life is exhibited in the fact that the commencement and the result are disjoined from each other. Thus also is it in the life of individuals and peoples. The life of a people ripens a certain fruit; its activity aims at the complete manifestation of the principle which it embodies. But this fruit does not fall back into the bosom of the people that produced and matured it; on the contrary, it becomes a poison-draught to it. That poison-draught it cannot let alone for it has

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[illegible]

obj[illegible] y present to it But this having been attained the activity displayed by the spirit of the people in question is no longer needed it has its desire The nation can still accomplish much in war and peace at home and abroad but the living substantial soul itself may be said to have ceased its activity The essential supreme interest has consequently vanished from its life for interest is present only where there is opposition The nation lives the same kind of life as the individual when passing from maturity to old age in the enjoyment of itself in the satisfaction of being exactly what it desired and was able to attain Although its imagination might have transcended that limit it nevertheless abandoned any such aspirations as objects of *actual endeavor* if the real world was less than favorable to their attainment and restricted its aim by the conditions thus imposed This mere *customary life* (the watch wound up and going on of itself) is that which brings on natural death Custom is activity without opposition for which there remains only a formal duration in which the fulness and zest that originally characterized the aim of life are out of the question—a merely external sensuous existence which has ceased to throw itself enthusiastically into its object Thus perish individuals thus perish peoples by a natural death and though the latter may continue in being it is an existence without intellect or vitality having no need of its institutions because the need for them is satisfied—a political nullity and tedium In order that a truly universal interest may arise the spirit of a people must advance to the adoption of some new purpose but whence can this new purpose originate? It would be a higher more comprehensive conception of itself a transcending of its principle but this very act would involve a principle of a new order a new national spirit

Such a new principle does in fact enter into the spirit of a people that has arrived at full development and self realization it dies not a simply natural death for it is not a mere single individual but a spiritual generic life in its case natural death appears to imply destruction through its own agency The reason of this difference from the single natural individual is that the spirit of a people exists as a *genus* and consequently carries within it its own negation in the very generality which characterizes it A people can only die a violent death when it has become naturally dead in itself as *e g* the German imperial cities the German imperial constitution

It is not of the nature of the all pervading spirit to die this merely natural death it does not simply sink into the senile life of mere custom but as being a national spirit belonging to universal history attains to the consciousness of what its work is it attains to a conception of itself In fact it is world historical only in so far as a *universal principle* has lain in its fundamental element in its grand aim only so far is the work which such a spirit produces a moral, political organization If it be mere desires that impel nations to activity such deeds pass over without leaving a trace or their traces are only ruin and destruction Thus it was first Chronos —Time—that ruled the Golden Age without moral products and what was produced—the offspring of that Chronos—was devoured by it It was Jupiter from whose head Minerva sprang and to whose circle of divinities belon Apollo and the Muses that first put a constraint upon Time and set a bound to its principle of decadence He is the political god who produced a moral work—the state

In the very element of an achievement the quality of generality of thought is contained without thought it has no objectivity that is its basis The highest point in the development of a people is this—to have gained a conception of its life and condition to have reduced its laws its ideas of justice and morality to a science for in this unity lies the most intimate unity that spirit can attain to in and with itself In its work it is employed in rendering itself an object of its own contemplation but it cannot develop itself objectively in its essential nature except in *thinking* itself

At this point then spirit is acquainted with its principles—the general character of its acts But at the same time in virtue of its very generality this work of thought is different in point of form from the actual achievements of the national genius and from the vital agency by which those achievements have been performed We have then before us a *real* and an *ideal* existence of the spirit of the nation If we wish to gain the general idea and conception of what the Greeks were we find it in Sophocles and Aristophanes in Thucydides and Plato In these individuals the Greek spirit conceived and thought itself This is the profounder kind of satisfaction which the spirit of a people attains but it is

ideal, and distinct from its real activity.

At such a time, therefore, we are sure to see people finding such action in the idea of virtue putting itself above it: partly said by the ... with actual virtue but partly in the place of it. On the other hand pure universal thought, since its nature is universality, is not to bring the special and spontaneous—belief, trust, customary morality—to reflect upon itself and its primitive simplicity; to show the limitation with which it is fettered; partly suggesting reasons for renouncing duties, partly itself demanding ... and the connection of such requirements with universal thought; and not finding the connection, seeking to impeach the authority of duty generally as destitute of sound foundation.

At the same time the isolation of individuals from each other and from the whole makes its appearance; their aggressive selfishness and vanity; their seeking personal advantage and consulting this at the expense of the state at large. That inward principle in transcending its outward manifestation is subjective also in form—viz. selfishness and corruption in the unbound passions and egotistic interests of men.

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But first we must observe how the life which proceeds from death is itself, on the other hand, only individual life; so that, regarding the species as the real and substantial in this vicissitude, the perishing of the individual is a regress of the species into individuality. The perpetuation of the race is, therefore, none other than the monotonous repetition of the same kind of existence. Further, we must remark how perception, —the comprehension of being by thought—is the source and birthplace of a new, and in fact higher form, in a principle which while it preserves dignifies its material. For Thought is that universal—that species which is immortal, which preserves identity with itself. The particular form of spirit not merely passes away in the world by natural causes in time, but is annulled in the automatic self-mirroring activity of consciousness. Because this annulling is an activity of thought, it is at the same time conservative and elevating in its operation. While then, on the one side, spirit annuls the reality, the permanence of that which it is, it gains on the other side the essence, the thought, the universal element of that which it only was. Its principle is no longer that immediate import and aim which it was previously, but the essence of that import and aim.

The result of this process is then that spirit in rendering itself objective and making this its being an object of thought, on the one hand destroys the determinate form of its being, on the other hand gains a comprehension of the universal element which it involves, and thereby gives a new form to its inherent principle. In virtue of this, the substantial character of the national spirit has been altered,—that is, its principle has risen into another, and in fact a higher principle.

It is of the highest importance in apprehending and comprehending history to have and to understand the thought involved in this transition. The individual traverses as a unity various grades of development, and remains the same individual; in like manner also does a people, till the spirit which it embodies reaches the grade of universality. In this point lies the fundamental, the ideal necessity of transition. This is the soul, the essential consideration, of the philosophical comprehension of history.

Spirit is essentially the result of its own activity: its activity is the transcending of immediate, simple, unreflected existence, the negation of that existence, and the returning into itself. We may compare it with the seed; for with this the plant begins, yet it is also the result of the plant's entire life. But the weakness of life is exhibited in the fact that the commencement and the result are disjoined from each other. Thus also is it in the life of individuals and peoples. The life of a people ripens a certain fruit; its activity aims at the complete manifestation of the principle which it embodies. But this fruit does not fall back into the bosom of the people that produced and matured it; on the contrary, it becomes a poison-draught to it. That poison-draught it cannot let alone, for it has

an insatiable thirst for it the taste of the draught is its annihilation though at the same *time the rise of a new principle*

We have already discussed the final aim of this progression The principles of the successive phases of spirit that animate the nations in a necessitated gradation are themselves only steps in the development of the one universal spirit which through them elevates and completes it self to a self comprehending *totality*

While we are thus concerned exclusively with the idea of spirit and in the history of the world regard everything as only its manifestation we have in traversing the past however extensive its periods only to do with what is *present* for philosophy as occuping itself with the true has to do with the *eternally present* Nothing in the past is lost for it for the idea is ever present spirit is immortal with it there is no past no future but an essential *now* This necessarily implies that the present form of spirit compre hends within it all earlier steps These have in deed *unfolded themselves in succession inde* pendently but what spirit it is it has always been e sentially distinctions are only the develop ment of this essential nature The life of the ever present spirit is a circle of progressive em bodiments which looked at in one aspect still exist beside each other and only as looked at *from another point of view appear as past* The grades which spirit seems to have left behind it it still possesses in the depths of its present

GEOGR 1PHICAL B 1SIS OF HISTORY

Contrasted with the universality of the moral whole and with the unity of that individuality which is its active principle the *natural* connec tion that helps to produce the spirit of a people appears an extrinsic element but inasmuch as we must regard it as the ground on which that spirit plays its part it is an *essential* and *neces sary* basis We began with the assertion that in the history of the world the idea of spirit ap pears in its actual embodiment as a series of ex ternal forms each one of which d clares itself as an actually existing people This existence falls under the category of time as well as space in the way of natural existence and the special principle which every world historical people

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sion is the mode of existence proper to mere na ture These natural distinctions must be first of all regarded as special possibilities from which the spirit of the people in question germinates and among them is the geographical basis It is not our concern to become acquainted with the land occupied by nations as an external locale but with the natural type of the locality as inti mately connected with the type and character of the people which is the offspring of such a soil This character is nothing more nor less than the mode and form in which nations make their ap pearance in history and take place and position in it Nature hould not be rated too high nor too low the mild Ionic sky certainly contributed much to the charm of the Homeric poems yet this alone can produce no Homers Nor in fact does it continue to produce them under Turki h government no bards have arisen We must first take notice of those natural conditions which have to be excluded once for all from the drama of the world s history In the Frigid and in the Torrid Zone the locality of world historical peo ples cannot be found For awakening conscious *ness takes its rise surrounded by natural* influ ences alone and every development of it is the reflection of spirit back upon itself in opposition to the immediate unreflected character of mere nature Nature is therefore one element in thi antithetic abstracting process nature is the first standpoint from which man can gain freedom *within himself and this liberation must not be* rendered difficult by natural obstructions Na ture as contrasted with spirit is a quantitative mass whose power must not be so great as to make its single force omnipotent In the extreme

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a o When pressing needs are satisfied man turns to the general and more elevated But in the extreme zones such pressure may be said never to cease never to be warded off men are constantly impelled to direct attention to nature

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the earth there presents itself in a continental

larity shows itself in natural products The north has many *kinds of animals and plants* with com mon characteristics in the south where the land divides itself into points natural forms also present individual features contrasted with each other

The world is divided into *Old* and *New* the

name of New ha ng originat d in the fa t that America and A stral a h e only latel become k wn t s But these parts of the world a e n t only relat ely ew but ntrinsi ally so in espect of th entire phys cal a d psych cal constituti n Their geologic l a tiquity we ha e n thi g to do with. I will ot deny th New Wo ld the hon ur of ha ing emerged from the sea at the wo lds form tio co tempora eously

h rrh pel o betw en So th

nov l originati n. New H lland s less immat e geographic l h racte fo m penetr ting f m the settlements f the English f rth into the c e untry we di cove immense t eam wh h ha e not yet d el ped them l es to s ch a degree as to di cha l f themsel es b t lose thems l es in m hes Of Am ca and its grade of ci ilizat o e pec lly in Mexico and Peru we ha e form tion but

th c l t e

e w

s ho n tselt phy cally ar d psych ca y po erless and t ll sho s t lf so Fo th abo rigin after th landi g of the E opeans i America gradually ani hed at the b e th f European acti ty In th U ted St te f North Am rica ll the citizens e f E pean descent with h m th ld inhab ta ts could not am lg mat but we edri e b k Th borigi es have rta nly ad pt d some arts a d usage f om the Eu opea s am g others that of bra dy d king wh ch has ope ated w th deadly eff ct. I th so th th t es w re treated w th much great le ce d empl y d in ha d labours t hich the tr gth was by n m com petent A m ld and pa l dispos tion want f spint d a cr ching s bmiss en to- wards a C ole and t ll m towards a E opean the hi f characterist of the ti Am ri ns d t w ll be l g befo th Eu opea ed in p d ing y ind pend e f f h g them The inf ri rity of these di dual ll respect even in regard to e is ery manifest nly the qu te southern ra es in P t gonia m e gor us nat es but t ll ab di g th t ral co dit on f rud ess d barbari m Wh n th Jes ts and th Cath lic le gy p opo d t ac ustom the I dian t Eu rope n cultur and manners (they ha e s is

A f rmer name f Aus ralia —Ed

well known founded a state in Paraguay and convents in Mexico and California) they com menced a clos i timacy with them and pre scr'bed for them the dut es of the day which slothful though their di po ition was they com plied with under the authority of the friars These prescripts (at midnight a bell had to re m d them even of their matrimon al duties) we e first and very wisely directed to the crea tion f wa ts—the prings of human activity

ba k) while o ly a single nati e was known to him whose intelle t was suffic ently developed to enable him to study but who had died s on after beginn g th ough excess e brandy

me ts by which they we subdued

The original n t on having anished or ne ly so the effecti e pop lation c mes for the most p rt from E ope and wh t takes place in America is b t a emanation f m Europe Eu rope has se t t surplus populat on to America in much the same way as from the old imperi l ties wh trade gu lds were dominant and trad wa st t p d, many persons escaped t ther towns which we e n t und r s ch yoke d wh re the bu den of mp ts wa n t hea y Thus o e by the side of Hamburg Alt —by Fra kf rt Offe bach—by N rn burg Furth—and Car ug by Ge eva The rela ti between North America and Europe is s milar M y E gl shmen ha e settled there where burdens and imposts d not exi t a d whe e the comb at of Eur pean ppliances and Eur pea inge uity has av l d to r lize som p d ce f om the exten nd still gin s l Ind ed the em grati n in q est n off many advant ges Th emigra ts ha got d of much that m ght be b tructi to th r inte est t hom while they tak with th m the ad ant ges of E pean independ c of sp rit

America as is well known is divided into two parts connected indeed by an isthmus but which has not been the means of establishing inter course between them Rather these two divi sions are most decidedly distinct from each other North America shows us on approaching it along its eastern shore a wide border of level coast behind which is stretched a chain of mountains—the Blue Mountains or Appalach [illegible]

sirable kind to the United States whose origin belongs to this region Behind that mountain chain the St Lawrence River flows (in connec tion with huge lakes) from south to north and on this river lie the northern colonies of Canada Farther west we meet the basin of the vast Mis sissippi and the basins of the Missouri and Ohio which it receives and then debouches into the Gulf of Mexico On the western side of this region we have in like manner a long mountain chain running through Mexico and the Isthmus of Panama and under the names of the Andes [illegible]

advantages than that of North America There lie Peru and Chile On the east side flow east ward the monstrous streams of the Orinoco and Amazons they form great valleys not adapted however for cultivation since they are only wide desert steppes Towards the south flows the Rio de la Plata whose tributaries have their origin partly in the Cordilleras partly in the northern chain of mountains which separates the basin of the Amazon from its own To the district of the Rio de la Plata belong Brazil and the Spanish Republics Colombia is the northern coast land of South America at the west of which flowing along the Andes the Magdalena debouches into the Caribbean Sea

With the exception of Brazil republics have come to occupy South as well as North America In comparing South America (reckoning Mexico as part of it) with North America we observe an astonishing contrast

In North America we witness a prosperous state of things an increase of industry and pop ulation civil order and firm freedom the whole federation constitutes but a single state and has its political centres In South America on the these changes originate in military revolutions The more special differences between the two parts of America show us two opposite direc tions the one in political respects the other in regard to religion South America where the Spaniards settled and asserted supremacy is Catholic North America although a land of sects of every name is yet fundamentally Prot estant A wider distinction is presented in the fact that South America was conquered but North America colonized The Spaniards took possession of South America to govern it and to become rich through occupying political offices and by exactions Depending on a very distant mother country their desires found a larger scope and by force address and confidence they gained a great predominance over the Indians The North American states were on the other hand entirely *colonized* by Europeans Since in England Puritans Episcopalians and Catholics were engaged in perpetual conflict and now one party now the other had the upper hand many emigrated to seek religious freedom on a foreign shore These were industrious Europeans who betook themselves to agriculture tobacco and cotton planting etc Soon the whole attention of the inhabitants was given to labour and the basis of their existence as a united body lay in the necessities that bind man to man the desire of repose the establishment of civil rights secu rity and freedom and a community arising from the aggregation of individuals as atomic con stituents so that the state was merely some thing external for the protection of property From the Protestant religion sprang the prin ciple of the mutual confidence of individuals—trust in the honourable dispositions of other men for in the Protestant Church the entire life its activity generally is the field for what it deems religious works Among Catholics on the contrary the basis of such a confidence can not exist for in secular matters only force and voluntary subservience are the princi ples of action and the forms which are called constitutions are in this case only a resort of necessity and are no protection against mis trust

If we compare North America further with Europe we shall find in the former the perma nent example of a republican constitution A subjective unity presents itself for there is a president at the head of the state who for the sake of security against any monarchical ambi tion is chosen only for four years Universal protection for property and a something ap proaching entire immunity from public burdens

are f cts whi h ar onsta tly held up t c m mendat on. We ha in thes fa ts th funda m tal character of the commun ty—the en d o of th indi idual ft r equ t n com m cial pr fit a d gain th p eponde ance f pri te inte est devotin it elf to th t of the c mmunity nly fo ts own ad antage We find, c rt inly legal elatio s a f rmal ode of laws b t r spect fo law exists apart from g nuin prob ty and th Am ri me cha ts commo ly li under th imputatio of dishonest dealings und r legal prot cti n If on the o s de the Pr test nt Ch rch develops the e se tial prin c ple f c nfidenc s al eady stated, t ther by in ol es on the other hand the r gnit on of th alidity of the lement f feeling to s h a degree as gi es n uragement t un eemly a rie es of caprice Those who dopt thi stand point maintain that as ev ryo m y ha e his

hich each the ry cm of bsu dity many f which ha e f rm f w rship c nsi ting in con ul m em ts and som times in the most sensu us extra gan es This c mplet freedom of w rship is dev l ped t uch d gree that the ari us congregat ons choose min t rs and di miss th m a rding to th r absolut pl ure f the hurch is n indepe dent xisten e—ha ing ub ta tial pirit al being d c rrespondingly permanent xternal a rangement—b t th ff irs of ligi are regu lated by th good pleasu fo the time being f the members f the community I N rth Amer ca the most unbound d license f imagination in ligi us matters p e a ls and that ligi us unity is wanting which has been maintain d in Eur pe States wh deviati s are limited t a few c fessions As t the politi al o di t on f N rth America the general bj ct f th ex tenc f thi tat is t yet fixed d deter mined, and th eces ty f firm combinat does t yet ex t fo al stat d real governm t rise nly ft distinctio f la ses has risen when wealth and po rty be ome xtreme and when su h a c ditio f things p ese ts itself that la ge portion f th people can o l g sat fy its eces ties i the way wh h t ha bee ccust med to t do But Am ri is hith rto e empt f om thi pres- fo t has th utlet f colonizati n con tantly d dely open and m ltitudes re c tinuall tr ming into th plains f the Missi ppi By thi m ns the h f sour e f di content is rem ed and th continuat of the

existi g civil condition is guaranteed. A com pa ison f th *United State* of No th Americ with European lands is therefo e imposs ble for in Eu ope such a n tural outl t fo popula tion n twithstandi all the emigrations that t ke pl ce does not exist *Had the woods of* Germany b en in exi tence the Fre ch Revolu

will the inhab tants in te d of pres ing out wards to occupy th fields p ess i wa ds upon each oth —pursuing t wn occupations and tradi g with th ir fellow-citize s and so form a c mpact syst m of ci il soci ty a d require

fifty years experi nce that *J e* Ameri a is more p ofitable to her tha it was in a state of *d p ndenc* The militia f the N rth Ameri Republic p ed themsel es quite as bra e in the Wa f Independence as the Dutch under Philip II but generally where indepe denc i n t at take less powe is displayed a d in th *year 1814 the militia h ld out but i diffe tly* gainst the En lish.

America is ther fore the la d of the f tur wh in th ges that li befo e us the burden f the world's history shall re eal itself—per haps in contest between North and South Am rica It is la d of des f all those who a e weary of the hist rical lumbe oom of old Europe Napoleon is report d t ha e said *C tt ieil Europ m en nie* It is fo Amer c t ba d n the ground on which hithert th history of th w ld h s dev loped tself What *has* take place in th New Wo ld up to th p es t time is only an ech f the Old W rld— the exp es on of a f re gn life and as land of the f ture it has o inte est f r us here f s egards *history* our c cern must be with that

has an eternal existence—with reason and this is quite sufficient to occupy us

Dismissing then the New World and the dreams to which it may give rise we pass over to the Old World—the scene of the world s history and must first direct attention to the natural elements and conditions of existence which it presents America is divided into two parts which are indeed connected by an isthmus but which forms only an external material bond of union The Old World on the contrary which lies opposite to America and is separated from it by the Atlantic Ocean has its continuity interrupted by a deep inlet—the Mediterranean Sea The three continents that compose it have an essential relation to each other and constitute a totality Their peculiar feature is that they lie round this sea and therefore have an easy means of communication for rivers and seas are not to be regarded as disjoining but as uniting England and Brittany Norway and Denmark Sweden and Livonia have been united For the three quarters of the globe the Mediterranean Sea is similarly the uniting element and the centre of world history Greece lies here the focus of light in history Then in Syria we have Jerusalem the centre of Judaism and of Christianity southeast of it lie Mecca and Medina the cradle of the Mussulman faith towards the west Delphi and Athens farther west still Rome on the Mediterranean Sea we have also Alexandria and Carthage The Mediterranean is thus the heart of the Old World for it is that which conditioned and vitalized it Without it the history of the world could not be conceived it would be like ancient Rome or Athens without the forum where all the life of the city came together The extensive tract of eastern Asia is severed from the process of general historical development and has no share in it so also northern Europe which took part in the world s history only at a later date and had no part in it while the Old World lasted for this was exclusively limited to the countries lying round the Mediterranean Sea Julius Cæsar s crossing the Alps the conquest of Gaul and the relation into which the Germans thereby entered with the Roman Empire makes consequently an epoch in history for in virtue of this it begins to extend its boundaries beyond the Alps Eastern Asia and that trans Alpine country are the extremes of this agitated focus of human life around the Mediterranean the beginning and end of history its rise and decline

The more special geographical distinctions must now be established and they are to be regarded as essential rational distinctions in contrast with the variety of merely accidental circumstances Of these characteristic differences there are three —

(1) The arid elevated land with its extensive steppes and plains

(2) The valley plains—the land of transition permeated and watered by great streams

(3) The coast region in immediate connection with the sea

These three geographical elements are the essential ones and we shall see each quarter of the

adapted to send forth impulses over the rest of the world the second forms centres of civilization and is the yet undeveloped independence the third offers the means of connecting the world together and of maintaining the connection

(1) *The elevated land* We see such a description of country in middle Asia inhabited by Mongolians (using the word in a general sense) from the Caspian Sea these steppes stretch in a northerly direction towards the Black Sea As similar tracts may be cited the deserts of Arabia and of Barbary in Africa in South America the country round the Orinoco and in Paraguay The peculiarity of the inhabitants of this elevated region which is watered sometimes only by rain or by the overflowing of a river (as are the plains of the Orinoco)—is the patriarchal life the division into single families The region which these families occupy is unfruitful or productive only temporarily the inhabitants have their property not in the land from which they derive only a trifling profit but in the animals that wander with them For a long time these find pasture in the plains and when they are depastured the tribe moves to other parts of the country They are careless and provide nothing for the winter on which account therefore half of the herd is frequently cut off Among these inhabitants of the upland there exist no legal relations and consequently there are exhibited among them the extremes of hospitality and rapine the last more especially when they are surrounded by civilized nations as the Arabians who are assisted in their depredations by their horses and camels The Mongolians feed on

patriarchal life it often happens that they cohere together in great masses and by an impulse

f one kind o anoth r are excited to external

forest-torren —possessing o h rent pr.ucip of tal y From th uplands the. ru.h down mt th d lls there dwell pea eful m untain eers—herdsmen who al occup them.el es with agricultur as d the Swiss Asia has also such peo le they re however o th whol a less important element.

( ) *The valley plains* These re plains per mea ed by ri ers and which owe th whole of their fertility t th eams by wh ch they re f rmed. ch a valley plain is China India tra versed by the I.dus and th Ganges B byl nia wher the E phrates and the T gris flow Egypt wa red by the Nile In these regions exten ive kingdoms rise and the f undati of great sta es begins. Fo griculture, which p evails h re as the primary pri.cipl of subsistence fo ind duals is assisted by the egularity f sea sons which requ e rrespo din. gricultural operations property in land commences and th nsequent legal elati ns that is t sa the basis and foundation f the tat whi h becomes pos.ible only in connection with h re lat ons

(3) *Th coast land* A rive di ides districts of country from each ther but till m re does the se and we are cust med t regard water the separating lement. Especially in recent times has t been in ted upon that tates must necessaril ha e been separated by natural fea ures Yet on the co trary t may be asserted as fundamental principl that nothing *uni es* so much water f coun ries e n thing lse tha districts occup ed by stream. Silesia f ins is th valley f the Oder B hemia and axon re the alley f th Elbe Egypt is the alley f t. Nil W th the sea this is not les the case as ha been already pointed out. Only mountains separate. Th th Pyrenees decided l separat Spain f om Fra The European ha been in con tant onnectio with America and the Ea t Ind.es ever nce they were discovered but they ha sea l pen trated int the i. n f Af ca d Asia because t ourse by la.d is much m e difficult than by w ter Only through th f ct of bei.g sea has the Med. erra an bec me focus f national

life Le us now look at the charact r of the na tions that are conditioned by this third lement

The ea gives us the dea of the indefinite the unlimited, and nfinite and in *feelin his own*

plunde but also to h nest gain and to c m merce. The land, the me e valley plain attaches him t the oil it in ol es him in an infi ite multitude of dependencies but the sea carries him out beyo d these limited circles f tho ght and action Those wh na igate the sea ha e indeed gain for their object but the means are

whi h they aim at. This is wh.t exalts the r gain and occupati bove t elf and makes i om thing bra e a d n ble Courage is necessarily introduced into trade dari g is joined with wi.d m. For the daring which encounters the sea must t the same time embrace wariness —cunning—since it has to d with the treach r us the most unreliable and dece tful element This boundless plain is ab olutely y elding with tanding no pressur not even breath of wind. It look. boundles.l innocent submissi e, friendly and in.inuati.g and t is exactly thi submissi eness which changes the se into th mo t dange ous a d ole.t element. To this dece t f lness d olence man opposes me el a im ple p ec of wood c nfides e tirely in his cour

and arching m ements or describes circles up- t—is a machine whose in enti does the gre test hon ur t the boldness f man as well as t his understanding This stretching out of the ea bey d the limitati ns of the land, is warting t th splendid political edifices of A.i tic states although they themsel es border th sea—as fo example China F r th m th sea is nly th limit, the ceasing of the land they ha n positi e relatio to it. The actu t to which th sea in tes is a qu.t peculiar one thenc rises the fact that the coastlands al most always separat themselves from the states

c n. der the th ee port ns f the globe with which history is co rned, and he e the three

characteristic principles manifest themselves in a more or less striking manner Africa has for its leading classical feature the upland Asia the contrast of river regions with the upland Europe the mingling of these several elements

Africa must be divided into three parts one is that which lies south of the desert of Sahara—Africa proper—the upland almost entirely unknown to us with narrow coast tracts along the sea the second is that to the north of the desert European Africa (if we may so call it) a coast land the third is the river region of the Nile the only valley land of Africa and which is in connection with Asia

Africa proper as far as history goes back has remained for all purposes of connection with the rest of the world shut up it is the gold land compressed within itself—the land of childhood which lying beyond the day of self conscious history is enveloped in the dark mantle of night Its isolated character originates not merely in its tropical nature but essentially in its geographical condition The triangle which it forms (if we take the west coast—which in the Gulf of Guinea makes a strongly indented an le—for one side and in the same way the east coast to Cape Gardafu for another) is on two sides so constituted for the most part as to have a very narrow coast tract habitable only in a few isolated spots Next to this towards the interior follows to almost the same extent a girdle of marsh land with the most luxuriant vegetation the especial home of ravenous beasts snakes of all kinds—a border tract whose atmosphere is poisonous to Europeans This border constitutes the base of a cincture of high mountains which are only at distant intervals traversed by streams and where they are so in such a way as to form no means of union with the interior for the interruption occurs but seldom below the upper part of the mountain ranges and only in individual p

ly found

crossing e ... s on During the three or three and a half centuries that the Europeans have known this border land and have taken places in it into their possession they have only here and there (and that but for a short time) passed these mountains and have nowhere settled down beyond them The land surrounded by these mountains is an unknown upland from which on the other hand the Negroes have eldom made their way through In the sixteenth century occurred at many very distant points outbreaks of terrible hordes which ru hed down upon the more peaceful inhabitants of the declivities Whether any internal movement had taken place or if so of what character we do not know What we do know of these hordes is the contrast between their conduct in their wars and forays themselves—which exhibited the most reckless inhumanity and disgusting barbarism—and the fact that afterwards when their rage was spent in the calm time of peace they showed themselves mild and well disposed towards the Europeans when they became acquainted with them This holds good of the Fullahs and of the M... tribes

Sen

rica ... the Nile—Egypt which was adapted to become a mighty centre of independent civilization and therefore is as isolated and singular in Africa as Africa itself appears in relation to the other parts of the world The northern part of Africa which may be specially called that of the *coast territory* (for Egypt has been frequently driven back on itself by the Mediterranean) lies on the Mediterranean and the Atlantic a magnificent territory on which Carthage once lay—the site of the modern Morocco Algiers Tunis and Tripoli This part was to be *must* be attached to Europe the French have lately made a successful effort in this direction like the Near East it looks Europe wards Here in their turn have Carthaginians Romans and Byzantines Mussulmans Arabians had their abode and the interests of Europe have always striven to get a footing in it

The peculiarly African character is difficult to comprehend for the very reason that in reference to it we must quite give up the principle which naturally accompanies all *our* ideas—the category of universality In Negro life the characteristic point is the fact that consciousness has not yet attained to the realization of any substantial objective existence—as for example God or law—in which the interest of man s volition is involved and in which he realizes his own being Th

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tial be

oped ... ess of his existence has not yet attained so that the knowledge of an absolute being an other and a higher than his individual self is entirely wanting The Negro as alread observed exhibits the natural man in his completely wild and untamed state We must lay aside all thought of reverence and morality all that we call feeling if we would rightly comprehend him there is nothing harmonious with

humanity to be found in this type f character The copious and c rcumstanti l accounts f mis so nes c mpletely c nfirm this and Moham medanism appe rs t be th only th ng which in y way brings the N groes within the range of cult The Mohammedans too unde tand bet ter than the Europea s how t penetrate into the interior f the country The gr de f culture wh h the Negroes occupy ma be more nearly pp eciated by c n dering the aspect wh h *re ligion* prese ts am g them. That which forms

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c nsciousness that the e is som thing higher

emp e f n ht God thunders b t is not that c unt gnized as God. F r the s ul of ma God mu t be mo e than thunde er where- a among th N groes this is not the case Al th gh th y are c ssarily c nsc ous f de- pe den e upo nature—f r they eed the bene ficial nfluen e f t rm ra cessation f the ra y period a d n—yet this does ot c n du t th m t the cons us ess f a higher po er t th y who command the el m ts d thi th c ll magic. The kings ha e a las f mi t rs th ugh wh m th y mm d lement l ha g s and every pla e pos esses h m gi ans wh perform special ceremo- with all sorts f gest culati s da ces up- oa nd sh ut ng and in th midst of thi c f n comm th ir incantations Th sec ond elem t th el gi c ns sts in th gi ing an outwa d form t this supernatural powe —p jecti g the h dde m ght i to the

taken quit indis iminately they exalt t the d gnit f a gen us it may be an animal a t ee tone wooden figure This is the *f tich*—a w d t whi h th P rtuguese first ga e currency d which d ri ed f m *feit* magi II in th f t h ki d of bjective independen ntrasted w th th arb trary

fancy of the indi idual seems to manifest itself but as the objecti ity is noth n other than the fancy of the indi idual p ojecting tself int space the human indi duality remains master

has no independence as an object of religiou

there s no r lation of dependence in this re

man various injuries exactly the sense i

Th the power in quest on remains s bstantial ly lways in bo d g t the l ngs bject Death ts lf i looked upo by the Neg oes as no uni ersal natural law even this they think pro- ceeds f om evil-disposed magic ans In this doc trine is certainly in ol ed th elevat o of ma o er Nature to s ch a degree th t the chance volit f m n is superio to the m ly natural —th t he looks upo this as an instrume t t wh ch he does not pay the compliment of treat ing it in a way c nditio ed by it elf but which he c mma ds

But from the fact that m n is reg rded as the highest, it follows that he has no respect for him lf f r only with the c sc o s ess of higher be g does he each a point of v w which insp es him with real reve ence For f b trary ch ce is th absolute the only substantial ob ject ty th t s realized, the mi d cannot in su h b onsc us of any uni rsality The Ne groe indulge the efor that pe fect *co t mpt* f humanity which in ts bearing on just ce a d m rality is th fundamental characterist c of the rac They h e m eo r no kn wledg of the imm rtality of the ul alth ugh spectre supposed to appea The undervalui g of humanity mo g them rea hes a incredible d gree of intensity Tyranny is ega ded as no wrong and cannibalism is looked up n as quite

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... we do know oi these hordes is the contrast between their conduct in their wars and forays themselves—which exhibited the most reckless inhumanity and disgusting barbarism—and the fact that afterwards when their rage was pent in the calm time of peace they sh ...

... the Fullahs and of the Mandingo tribes who inhabit the mountain terraces of the Senegal and Gambia The second portion of Africa is the river district of the Nile—Egypt which was adapted to become a mighty centre of independent civilization and therefore is as isolated and singular in Africa as Africa itself appears in relation to the other parts of the world The northern part of Africa which may be specially called that of the *coast territory* (for Egypt has been frequently driven back on itself by the Mediterranean) lies on the Mediterranean and the Atlantic a magnificent territory on which Carthage once lay—the site of the modern Morocco Algiers Tunis and Tripoli This part was *to be must* be attached to Europe the French have lately made a successful effort in this direction like the Near East it looks Europe wards Here in their turn have Carthaginians Romans and Byzantines Mussulmans Arabians had their abode and the interests of Europe have always striven to get a footing in it

The peculiarly African character is difficult to comprehend for the very reason that in reference to it we must quite give up the principle which naturally accompanies all *our* ideas—the category of universality In Negro life the characteristic point is the fact that consciousne s has not yet attained to the realization of any substantial objective existence—as for example God or law—in which the interest of man s volition is involved and in which he realizes his own being Th ...

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tial being t ...

oped oneness of his existence has not yet attained so that the knowledge of an absolu e being an other and a higher than his ind vidual self is entirely wanting The Negro as already observed exhibits the natural man in his completely wild and untamed state We must lay aside all thought of reverence and morality all that we call *feeling* if we would rightly comprehend him there is nothing harmonious with

sons t death may himself uffe death, if the grandees desire t. Fanaticism which notwith sta ding the lding disposit n of the Negr in th r espect can be exc t d surpa es whe roused, ll bel ef An English tra ller states that when a war is d t rmined o in A h nt solemn ceremonies precede it am ng other thing th b s of the king s m ther are la ed with huma blood. As a p lude t th war the king rdains an on lau ht upon his own me tropolis s f to excite the du degree f frenzy Th king sent word t th English H tchinson Christian, take ca e, and watch w ll o er our family The mes enge of death has drawn his sword a d will trike the neck of ma y Ashant when the drum unds t is th death s gnal f mult t des C me t the King if you c n a d itself The drum beat d in et has

all whom he suspects kill d a u the hen ssumes th characte f a sa r d ct E ery idea thrown int the mind f th Negro is caught up and r alized with the wh le en rgy f his will but this ealizatı n in ol es a wholesale des ru tion. These peopl tin e l ng t rest but s dd nly the r pas ons ferm t and then th y are quite bes de themsel es The destruc tion wh h is th n eq en e f their excite ment is caused b the fact that t is no po ti e dea, th ght which p odu es these c mmo tions a ph sical rathe than sp ritual thus sm. I Dah mey when the king dies the bonds f society re loosed in his pala e begins indis criminate ha oc and disorganization. All th wi es of the king (in Dah mey thei numbe is

nth rities ha e to ha ten t p oclaim the n w go rn upply t put a stop to ma sacr

F om these n tra ts it ma fest that want f self-co trol di ti guishes the character f th Negroes. This conditio apabl f n de lopment culture and w see th m at this day h ha they always been. Th nl essential onnect that ha exi ted d con tinued between the Negroes d the E opea is that f la ry I this th Negroes se th ng unbec mi g them a d th Engl h wh ha don most f abol hi g the sla trad and la ery re t eat d b the Negroes themsel es as enemies. F t po t f first importanc with the kings t sell their c pt red enemies or even their own subjects and viewed in the l ght of s ch f cts we m y conclude *sla ery* to have been the occasion of the increase of human feel in among the Negroes The doctrine which we dedu e f om this condition of la ery amon the Negroes and which constitutes the only side of the question that has an interest for our in quiry is th t which we deduce f om the Idea t that th natural condition itself is one of absolute and th rough i justice co tra en ti n of the right and just. E ery intermediate grade between this and the realizatio of a ra ti al state retains as might be expected, ele me ts and aspects of *injustice* th refore we fi d sla ry even in the G eek and R man states a we do s rfdom down to the latest times But thus exi ting in a tate la ery is it elf a phase of advance f om the merely isolated sensual existenc a pha e of educat o a m de of be c mi g participant in a higher morality and th cultu e connect d w th it Sla ery is in d for itself *inj tice* for the es e ce of human ty is *f eedom* but for this man mu t be matured. The gradual aboliti n f slavery is therefo e wis r and more equitable than its sudden re mo al.

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wo ld. Carthage displayed there an impo ta t trans t onary pha e of ci ilization but s a bel gs to A ia Egypt will

pirit. What w p perly understand by Africa is th unhist rical unde loped p rit still in ol ed in the conditions of mere nature and ly o the

world, and is b lut ly the *W est*—so Asia is ab lut ly the *East*

In Asi a os the light of spirit d therefo e the hi t ry f the w ld.

W must now consider the various localities

customary and proper Among us instinct deters from it if we can speak of instinct at all as appertaining to man But with the Negro this is not the case and the devouring of human flesh is altogether consonant with the general principles of the African race to the sensual Negro human flesh is but an object of sense—mere flesh At the death of a king hundreds are killed and eaten prisoners are butchered and their flesh sold in the markets the victor is accustomed to eat the heart of his slain foe When magical rites are performed it frequently happens that the sorcerer kills the first that comes in his way and divides his body among the bystanders Another characteristic fact in reference to the Negroes is slavery Negroes are enslaved by Europeans and sold to America Bad as this may be their lot in their own land is even worse since there a slavery quite as absolute exists for it is the essential principle of slavery that man has not yet attained a consciousness of his freedom and consequently sinks down to a mere thing—an object of no value Among the Negroes moral sentiments are quite weak or more strictly speaking non existent Parents sell their children and conversely children their parents as [illegible]

claim The polygamy of the Negroes has frequently for its object the having many children to be sold every one of them into slavery and very often naive complaints on this score are heard as for instance in the case of a Negro in London who lamented that he was now quite a poor man because he had already sold all his relations In the contempt of humanity displayed by the Negroes it is not so much a despising of death as a want of regard for life that forms the characteristic feature To this want of regard for life must be ascribed the great courage supported by enormous bodily strength exhibited by the Negroes who allow themselves to be shot down by thousands in war with Europeans Life has a value only when it has some thing valuable as its object

Turning our attention in the next place to the category of *political constitution* we shall see that the entire nature of this race is such as to preclude the existence of any such arrangement The standpoint of humanity at this grade is mere sensuous volition with energy of will since universal spiritual laws (for example that of the morality of the family) cannot be recognized here Universality exists only as arbitrary subjective choice The political bond can therefore not possess such a character as that free laws should unite the community There is absolutely no bond no restraint upon that arbitrary volition Nothing but external force can hold the state together for a moment A ruler stands at the head for sensuous barbarism can only be restrained by despotic power But since the subjects are of equally violent temper with their master they keep him on the other hand within limits Under the chief there are many other chiefs with whom the former whom we will call the king takes counsel and whose consent he must seek to gain if he wishes to undertake a war or impose a tax In this relation he can exercise more or less authority and by fraud or force can on occasion put this or that chieftain out of the way Besides this the kings have other specified prerogatives Among the Ashanti the king inherits all the property left by his subjects at their death In other places all unmarried women belong to the king and whoever wishes a wife must buy her from him If the Negroes are discontented with their king they depose and kill him In Dahomey when they are thus displeased the custom is to send parrots eggs to the king as a sign of dissatisfaction with his government Sometimes also a deputation is sent which intimates to him that the burden of government must have been very troublesome to him and that he had better rest a little The king then thanks his subjects goes into his apartments and has himself strangled by the women Tradition alleges that in former times a state composed of women made itself famous by its conquests it was a state at whose head was a woman She is said to have pounded her own son in a mortar to have besmeared herself with the blood and to have had the blood of pounded children constantly at hand She is said to have driven away or put to death all the males and commanded the death of all male children These furies destroyed everything in the neighborhood and were driven to constant plunderings because they did not cultivate the land Captives in war were taken as husband pregnant women had to betake themselves outside the encampment and if they had born a son put him out of the way This infamous state the report goes on to say subsequently disappeared Accompanying the king we constantly find in Negro states the executioner whose office is regarded as of the highest consideration and by whose hands the king though he makes use of him for putting suspected per

Europe t which we now come has not the phys cal variet es which we n tured in A a and Africa. The E ropean char cter in ol es the d sappe rance of the c trast e hib ted by ea li r varieties or t least a modific tio of it

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The first part is south rn Eu ope looki g to-
N rth f th Pyr

home here

Th sec nd po tion is th heart of Europe which Cæsar opened whe conquering G ul Thi achievement was one of manhood on the part of th Roman ge eral and mo e produc ti e than that yo thful ne of Alexande who

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tra t with th physical peculiarities of the earlie di is ns thes a e as al e dy not ced not pres t in ema kable d gree but counterbalance each oth r

of Asia Its physical constitution presents direct antitheses and the essential relation of these antitheses Its various geographical principles are formations in themselves developed and perfected

First the northern slope Siberia must be eliminated Th
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northern
because the northern zone as already stated lies out of the pale of history But the remainder includes three very interesting localities The fi st is as in Africa a massive upland with a mountain girdle which contains the highest summits in the world This upland is bounded on the south and southeast by the Mus Tag or Imaus parallel to which farther south runs the Himalaya chain Towards the east a mountain chain running from south to north parts off the basin of the Amur On the north lie the Altai and Songarian mountains in connection with the latter in the northwest the Musart and in the west the Belur Tag which by the Hindu Kush chain are again united with the Mus Tag

This high mountain girdle is broken through b streams which are dammed up and form great valley plains These more or less inundated present centres of excessive luxuriance and fertility and are distinguished from the European river districts in their not forming as those do proper valleys with valleys branching out from them but river plains Of this kind are the Chinese valley plain formed by the Hwang Ho and Yangtze Kiang (the Yellow and Blue Streams) next that of India formed by the Ganges less important is the Indus which in the north gives character to the Punjab and in the south flows through plains of sand Farther on the lands of the Tigris and Euphrates which rise in Armenia and hold their course along the Persian mountains The Caspian Sea has similar river valleys in the east those formed by the Oxus and Jaxartes (Gihon and Sihon) which pour their waters into the Sea of Aral on the west those of the Cyrus and Araxes (Kur and
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the land of the desert the upland of plains the empire of fa

In regard to Asia the remark above offered respecting geographical differences is especially true that the rearing of cattle is the business of the upland agriculture and industrial pursuits that of the valley plains while commerce and navigation form the third and last item Patriarchal independence is strictly bound up with the first condition of society property and the relation of lord and serf with the second civil freedom with the third In the upland where the various kinds of cattle breedin the rearing of horses camels and sheep (not so much of oxen) deserve attention we must also distinguish the calm *habitual* life of nomad tribes from the wild and restless character they display in their conquests These people without developing themselves in a really historical form are swayed by a powerful impulse leading them to change their aspect as nations and although *they* have not attained an historical character the beginning of history may be traced to them It must however be allowed that
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idea is thus awakened and herein lies the principle of property and productive industry China India Babylonia have ri en to the position of cultivated lands of this kind But as the peoples that have occupied these lands have been

ment of their civilization) and as their navigation of it to whatever extent it may have taken place remained without influence on their culture—a relation to the rest of history could only exist in their case through their being sou ht out and their character investigated by others The mountain girdle of the upland the upland itself and the river plains characterize A ia physically and piritually but they themselves are not concretely really historical elements The opposition between the extremes is simply recognized not harmonized a firm settlement in the fertile plains is for the mobile restless roving condition of the mountain and upland races nothing more than a constant object of endeavour Physical features distinct in the sphere of nature assume an essential historical relation The Near East has both elements in one and has consequently a relation to Europe for what is most remarkable in it this land has not kept for *itself* but sent over to Europe It presents the origination of all religious and political principles but Europe has been the scene of their development

Europe to which we now come has not the physical varieties which we noticed in Asia and Africa. The European character involves the disappearance of the contrast exhibited by

basis of classification.

The first part is southern Europe looking towards the Mediterranean. North of the Pyrenees mountain chains run through France connected with the Alps that separate and cut off Italy from France and Germany. Greece also

from here

The second portion is the heart of Europe which Cæsar opened when conquering Gaul.

undertook to exalt the East to a participation in Greek life and whose work, though in its purport the noblest and fairest for the imagination soon vanished as a mere ideal in the sequel. In this centre of Europe France, Germany and England are the principal countries.

Lastly the third part consists of the north eastern states of Europe—Poland, Russia and the Slavonic kingdoms. They come only late into the series of historical states and form and perpetuate the connection with Asia. In contrast with the physical peculiarities of the earlier divisions these are as already noted not present in a remarkable degree but counterbalance each other.

CLASSIFICATION OF HISTORIC DATA

In the geogr ical survey the ourse f the world's h ory has been marked out in its gen eral fea ures The sun—the Light—rises in the East Light is a simply self involved exis ence but though posses ing thus in itself universality it exists t the same time as an individuality in the sun. Imagination has ften pictured to it If the emotions f blind man suddenly becoming possessed of t be o ding the bright glim mering f the dawn, th growing light and th amin g ory f t ascending sun. The bound less forget u s of his indiv duality in this — ter aston-

ishment the dive e is made t th percep on of the relatio between th two Then inactive con empla is quitted fo activ ty by the close of da man h s erected a building con structed f m his own inner sun and when in the evening he ontem la es this he esteems mor highly tha the original external sun. For now he stands in a onscious lation to his own and therefore f e relation. If we h ld s image fa in mind, w shall find t symbol ise th ourse history the grea day s w rk f spirit

Th h t f th world tra els from Ea to s for Europe is bsolutely th end f history Asia th beginning Th hist ry of the world has an ea t (th term east in itself en rely latin) f alth ugh the earth forms sphere h t performs o cir le round ... on th on rary determinate ea t ... Asia Here rises the ou ward p ys cal sun, ... in the west sinks down here onsentane ... rises th ... f self-consc ousness which ... nobler brilliance. The history f the world is th discipline f th un on rolled na ... ral will bringing t in obedien t uni versal princip and conferring ubjective free dom Th East knew and t the present da knows on tha one is free the G eek and Ro man w ld th ... are free th German ... knows that ... free. The first political form there re wh h w observe in his ory is

despotism the second *democracy* and *aristocracy* the third *monarchy*

... remark

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whether its con tituent individuals a ... and personal beings ha ing a prope ly ... b ec ... e and independent exis ence. In ew of this s bstantial freedom must be distinguished from *subjective* f eedom. Substantial freedom is the abstract undev loped reason implicit in olition, proceeding t develop itself in the tat But in this phase of reaso th re is till wanting per sonal insight and will, that is subjective free dom, which is realized only in the individual, and which con titutes the reflection of the indi dual in his own conscience Where there is merely ub tantial freedom, comma ds and laws re rega ded as something fixed and ab tract, to whi h th subject holds himself in absolute serv tude These laws need not co cur with th des re f the indi idual, and the ubjects are consequently like children who obey their par ents without will o insight of their own But as subject e freedom arises and man descends from the contemplation of external ealit ... his own soul the contrast suggested by reflec tion arises in ol ing the negation of reality The drawing back from the actual w ld forms *pso facto* an antithesis of which one side is th bsolut being—the divine—th other the h man ubject as an ind dual. In that immedi

Th firs phase that with which we ha e to begin, is the East U reflected consciousness— substantial, objective sp ri ual exis en e—f rm. ... ba t which the subjecti e will first sus tains relation in the f rm f faith confidenc obedien e. I the poli cal lif of the Ea t w find a realized rat onal f eedom developing

CLASSIFICATION OF HISTORIC DATA

In the geographical surv y th cours f the w rld s history has been ma k d out in its gen eral features The sun—the light—rises in the

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m nn f the dawn the growi g light and the flami g! r f the as ending sun. The bound less forgetfu n s f his indi du lity in this p splendo is his first feeling—utter aston ishment But hen the sun is risen this aston ment is diminished objects a ound are per cei ed, and f om them the indi dual proceeds t the c templat of his wn inner being and thereby the dva e s made t th per epti of the rela o between th two Then inacti e contemplati is quitt d fo acti ty by the lose f day ma has erected a building co structed f m his wn inner sun and when in the evening h ntemplates this h esteems it m e highl tha th riginal external sun. For

of spirit

Th h t r f th w ld tra els f m ea t to west for Europe is bsol t ly th e d f his t ry Asia th beginni g Th hi t ry of th w rld has an ea t *(f* *χην* (th t rm ast in self ent ly lat) f r lth ugh the earth f m sp er hi t r pe form o ci cle ound but ha on th trary d terminat ea t i. A H rises th utw d phys cal sun d in th west t inks d wn here nsent ne oul rises h um f elf-consc u ess which di uses obler brillian Th hi t ry of the w ld is th discipl e f the un ont ll d nat ural will, bringing t into obedien e t a un ersal prin ple and conf rming subjecti *f* ee dom. Th East k ew and to th p esent day k ws n tha *ne* is f ee the G eek d Ro man w ld, that *ome* e free the G rman orld knows that *all* are free. The first political f rm therefore hich we bserve in hist ry is *despot sm* the second *democracy* and *aristoc acy* the third *monarchy*

To understa d this di is on we must remark that as the tate is the uni ersal piri ual l fe t ... r lation of

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servitud These laws need not c ncur w u the des re f the indi idual and the subjects c onsequently like children wh obey their pa ents with t will o ins ght of their own But ubject f eedom rises and man desce ds from the ontemplati n f external realit int his wn oul th c trast uggested by reflec tion arises in l ing the negation f reality The drawing back from the ctual wo ld forms *pso fact* an antithesis f which one id is the abs lut being—the di ine—th other the hu man ubject as an indi dual. In that immedi at unr flected sci usness whi h chara t r izes the Ea t thes tw a n t yet distin guished. Th ub tantial w ld is dist ct f m th indi dual, but th antithesis has not yet created a hi m between sp rit.

Th first phas that with which we ha to begin is th Ea t Un flected consciou s— s bstantial, obj ct e sp ritual existen e—f rms th ba s t which the s bjecti e will first us tains a relat in the f rm of faith confiden obedience I the polit cal *li*f of the Ea t we find realized rat nal f eedom d loping

itself without advancing to *subjective* freedom It is the childhood of history Substantial forms constitute the gorgeous edifices of Oriental em pires in which we find all rational ordinances and arran ements but in such a way that indi viduals remain as mere accidents These revolve round a centre round the sovereign who as patriarch not as despot in the sense of the Ro man imperial constitution stands at the head For he has to enforce the moral and substantial he has to uphold those essential ordinances which are already established so that what among us belongs entirely to subjective freedom here proceeds from the entire and general body [illegible]

has a separate existence or mirrors himself in

essentially merged the latter looks for its dig nity *not* in itself but in that absolute object All the elements of a complete state—even subjec tivity—may be found there but not yet har monized with the grand substantial being For outside the one power—before which nothing can maintain an independent existence—there is only revolting caprice which beyond the limits of the central power roves at will without

the central substance This phase of substan tiality since it has not taken up its antithesis into itself and overcome it directly divides it self into two elements On the one side we see duration stability—empires belonging to mere pace as it were unhistorical history as for example in China the state based on the family relation a paternal government which holds together the constitution by its provident care its admonitions retributive or rather disciplin ary inflictions a prosaic empire because the antithesis of form *vi* infinity ideality has not yet asserted itself On the other side the form of time stands contrasted with this spatial stability The states in question without under going any change in themselves or in the prin ciple of their existence are constantly changing their position towards each other They are in ceaseless conflict which brings on rapid destruc tion The oppo ing principle of individuality en ters into these conflicting relations but it is it

part really *unhistorical* for it is only the repeti tion of the same majestic ruin The new ele ment which in the shape of bravery prowes magnanimity occupies the place of the previous despotic pomp goes through the same circle of decline and subsidence This sub idence is there fore not really such for through all this restles change no advance is made History passes at this point and only outwardly *i e* without connection with the previous phase to Central Asia Continuing the comparison with the ages of the individual man this would be the boy hood of history no longer manifesting the re pose and trustingness of the child but boister ous and turbulent The Greek world may then be compared with the period of adolescence for here we have individualities forming them selves This is the *second* main principle in hu man history Morality is as in Asia a principle but it is morality impressed on individuality and consequently denoting the free volition of individuals Here then is the union of the moral with the subjective will or the kingdom of *beautiful freedom* for the idea is united with a plastic form It is not yet regarded ab tracted ly but immediately bound up with the real as in a beautiful work of art the sensuous bears the stamp and expression of the piritual Thi kingdom is consequently true harmony the world of the most charming but peri hable or quickly pas ing bloom it is the natural unre flecting observance of what is *becoming*—not yet true *morality* The individual will of the subject adopts unreflectingly the conduct and habit prescribed by justice and the laws The in dividual is therefore in unconscious unity with the idea—the social weal That which in the East is divided into two extremes—the substan tial as such and the indi iduality ab orbed in it—meets here But these distinct principles are only *immediately* in unity and con equently in volve the highest de ree of contrad ction for this æsthetic morality has not yet pas ed through the strug le of subjective freedom in its second birth its *palingenesis* it is not yet purif ed to the standard of the free subjectivity that is the essence of true morality

The third phase is the realm of abstract uni versality (in which the social aim absorbs all in dividual aims) it is the Roman State the se vere labors of the *manhood* of history For true manhood acts neither in accordance with the

c price of a desp t no in b dience to a grace ful capric of ts own b t wo ks fo a ge eral aim e in which the i di dual perish s and realizes his wn pri te obje t nly in that g n eral aim The state begins t ha e an abstr ct n te ce and to develop itself f r a definite object in a compl hing whi h its membe ha e indeed a share but not a complete and con h

themsel es abstract f rmal uni ers lity The un ersal ubj gate the i divid als they ha e h turn

persons w th d finite rights as such In the same sense indi duals may be sa d to be incorpo rated in th b t act idea f per o t o al t d d l t (those f the R m n p o in) ha e al o to exp e ce th f te i thi form of uni ersality th r co c t forms a e crushed od inc rp ted with it as h m geneous d ind fi t mas Rome bec mes a panth f ll d ties and f ll p rit lem t e but these di initi and thi sp t d not retain th r p pe t lity The d el pment of the stat in quest p o e d in two di e t ns O the ha d b ed n reflectio — b t t un e sality— t ha th xp ut poke a t th s itself t th f e t lly in l e i t self th truggl h ch that ntithesis uppo e th th ecessary ssue that indi dual cap ice the pu ly c tingent d tho o hly ldly pow of d p t g ts the bett of that ab t t uni rsal pri ple At the ery ut t we h th a t thes s b t the a m f the tate th b t t uni rsal princ pl on the e ha d, and th b t t pe sonal ty of th indi d l th the ha d. But wh subseq ent ly in the hi t ric l dev lopment indi dual ty ga ns the as enda t d the b aking up f th

se ks for harmony in itself a d o g s inner life—a complete co crete subjecti ty which possesses at the same time a substanti l ity that i not grounded in mere e ternal exi t

its own cap c ous cho c is pu fied a d ele vated to uni ersality bje t ity th t f ts own free w ll ad pts p inc ples te ding to the g d of all—reaches i fact a divi e per sonality To th t wo ldly empire th s piritual o e wear a p ed mi ant aspect of opp s t on as the empi e of a subjectivity th t has attai ed to the kn wledge of t elf—itself in its essen ti l tu e—the emp e of spirit in its full se e

The G m n w ld appears at th po nt of de l pm t—the fourth phase f wo ld history This w uld an e th comparison w th the periods of huma l fe to its old age The old age of t e weakn ss but that of sp it i ts p f ct maturity and trength in which t re turns t un ty with ts lf but i ts fully de eloped char cter as spirit This fourth phase b g w th the re li tion p ese ted in Chris tianity but nly i th germ w thout nat onal o p litical developm t We m t the efo e re gard it s mmencing rath r with th e rn us o trast betw en the spiritual r l g us princi ple d the ba barian re l wo ld F r spirit as the co s u ness of an nner wo ld is at the comm ement tself st ll n abstract form All th t is s f onsequently g en e t rud d cap ous l ce Th Mo

German w ld which we a e w discu g at tain d c cr t eal ty nly in the h t ry f the G rm n ati s Th ntrast f the pirit al pri c pl animati g the e les t cal tate with

the rough and wild barbarism of the *secular* state is here likewise present The secular *ought* to be in harmony with the spiritual principle but we find nothing more than the *recognition* of that obligation The secular power forsaken by the spirit must in the first instance vanish in presence of the ecclesiastical but while this latter degrades itself to mere secularity it loses its influence with the loss of its proper character and vocation From this corruption of the ecclesiastical element—that is of the church—results the higher form of rational thought Spirit once more driven back upon itself produces its work in an intellectual shape and becomes capable of realizing the ideal of reason from the secular principle alone Thus it happens that in virtue of elements of universality which have the principle of spirit as their basis the empire of thought is established actually and concretely The antithesis of church and state vanishes The spiritual becomes reconnected with the secular and develops this latter as an independently organic existence The state no longer occupies a position of real inferiority to the church and is no longer subordinate to it The latter asserts no prerogative and the spiritual is no longer an element foreign to the state Freedom has found the means of realizing its ideal—its true existence This is the ultimate result which the process of history is intended to accomplish and we have to traverse in detail the long track which has been thus cursorily traced out Yet length of time is something entirely relative and the element of spirit is eternity Duration properly speaking cannot be said to belong to it

FIRST PART

THE ORIENTAL WORLD

We ha e to beg with the riental w ld, but not bef re the period in whi h we disco r states t. The diffusion f la guage a d the forma tion of races lie bevond the limit f history H t ry is p o e d myths f ll hort f history The con ous ess of xt rnal d finite exist ce onl ari es connectio with the pow r t f rm bstract di incti ns and a gn b tract p edi es d in proport as a c pacity fo ex pres ing laws is equ ed, in the same p oportion does th b lity manifest it lf t comprehe d bjects in an unpoet cal f rm While the ante hist ri l is that wh h precedes political life it lso lies bevond elf-cogniza t l f thou h sur mises and uppos ti ns may be ntertained e pecting that period, these do t am unt t f ct Th Orient l w ld has a its inherent and di tincti principle the substantial in m rality We ha e t e first xampl f bjugation f the mere a b trary will which is merged in this sub t tiality M ral distinct ns d equ ments are expre ed law but so that the bjecti ll s gov rn d by these laws by an external f rce N thing bjectiv in th hape of dis pos tion onsc en f rmal fre d m is recog ized Just dminist ed nly on th b s f external m ral ty and governm t exists only s the prerogat e f ompuls Our ci il law ont ins ind ed me p ly compulsory di nan I can be ompe led t gi e up an the ma propert o t keep greement which I ha e m d but th m ral s n t placed by us th mer mpulsion but in th dispo tion f the bject th ympathy w th th eq ire ments f law M ralit in th Ea t likewi ubj ct f pos t lem lat d lth ugh the m ral prescr p on (th sub t f th th ma be perf ct hat h ld be int rn l bject sent m t mad m t f te al ra g ment Ther w t f will to omma d m al tions but fa ll t pe form t em becaus ommanded f m with Sinc nt ha ot yet tt ed ubject t t wea t e ppears f spiri unb all l d in th conditio s of nature S nce the external and the internal law and moral sense a e not yet distinguished—still form a undivided unity—so als do relig n and the state The const tu tion g nerally s a theocracy d the kingdom of God is to th same exte t also a sec l r king dom a th secular kingd m is als divin What we call God has ot yet in the East be n ealized in consc usness f our idea of God invol es elevatio of the soul t the upersen ual While

firmat I the law men ec gni t their wn will but one enti ely fo gn.

Of the e ral parts of A ia we ha e lready eliminated as unhistoric l uppe A ia (o f r and o long s its nomad populat on do not appear on the s ene of history) and Siberia The rest f the As t wo ld is di ided i t f ur dis ricts fi st the ri -plains formed by the Y ll w and Bl e Stre m a d the upland of farthe Asia—China a d the Mongols Sec ndly the alley f the G g s a d that of th I dus The third theatre of history c mprises the ri er plai s of the Oxus a d Jaxartes the upland f P rsia and th ther alley plains of th Euphrates and T gris to which the Near Ea t atta hes itself F urthly the ri er plain of the Nile

W th *Ch a* and the *M g ls* the realm f th ocrat c despotism hist ry begins Both ha e the patria hal constitut n f r their pri c ple—so modified in China as t admit the de l pm t f an rganized system of secular polity whil amo g th M ols t lim ts itself to the s mple form of a sp ritual, eligi us sovere gnty In China the m na ch is ch f as patriarch Th law f th

the rough and wild barbarism of the *secular* state is here likewise present The secular *ought* to be in harmony with the spiritual principle but we find nothing more than the *recognition* of that obligation The secular power forsaken by the spirit must in the first instance vanish in presence of the ecclesiastical but while this latter degrades itself to mere secularity it loses its influence with the loss of its proper character and vocation From this corruption of the ecclesiastical element—that is of the church—results the higher form of rational thought Spirit once more driven back upon itself produces its work in an intellectual shape and becomes capable of realizing the ideal of

basis the empire of thought is established actually and concretely The antithesis of church and state vanishes The spiritual becomes reconnected with the secular and develops this latter as an independently organic existence The state no longer occupies a position of real inferiority to the church and is no longer subordinate to it The latter asserts no prerogative and the spiritual is no longer an element foreign to the state Freedom has found the means of realizing its ideal—its true existence This is the ultimate result which the process of history is intended to accomplish and we have to traverse in detail the long track which has been thus cursorily traced out Yet length of time is something entirely relative and the element of spirit is eternity Duration properly speaking cannot be said to belong to it

a.d f r others the solutio of which is only to be found in the G eek wo ld.

If we compare these kin doms in the Lght of t.eir various f es we find the empire of the two Chinese rivers t.. only durabl kingd m in the world. Conquests cann t affect such an empire. The wo ld f t.. Ga.ges and th Indus has also been preserved. A state of things destitute f though. is likewise imperishable, bu t is in its very na ure destined to be mixed with oth races—t be conquered and subjugated. Whil t.ese tw realms ha e remained t the present

that of trans on, is by natur peri..abl a..d t.e kingdoms f the Caspian Sea are given up to t.e a.cient struggle of Iran and Turan. The

above ground is othing e.se but such splendid tombs.

Sect.on I

CHI\A

W .h t empire f China hist ry has to begin, f it is t.. ldest, as far as hist ry gi es us any informa on and t principl has such ubstan t.a..ty t..t f t.e empire in questio it is at once t..e dest a..d the ewest Earl do we see China dvancing to t..e ondition in which it is found a t..is da for as th ontrast betw en objective exi.ten and subjecti e f eed m of movement in it is still wanting every chang is excluded, a..d th fixednes of harcter which recurs perpetuall takes the place of what w ..ould call the truly historical. China and India lie as w re s ll ou..s de the wo ld his ry as t.e mere presuppos tion f e.ements whose ombination must be wai ed f t onstitut t.eir vital progres Th uni y f substantial y and sub ectiv f eedom so entirely ex l des the di..tinction and on rast f the two lement t..a by t..is ery f ct substance cann t arri t eflect on tsel — t ubjectiv t Th sub tan tial m .s m ral aspect, rules theref e, ot as t.e moral disposi on f t.e subje t but as the des potism f the overeign

N peop ha so nctly ontinuous series f writers f hist ry as t.e Chi ese Other Asiati peoples a.so ha e ancien raditions but n his tory The Vedas f t.e India..s re n t such. The trad..ions f the Arabs are ery old, but are not attached to a political constitution and ts development. But such a con..titution exists in Chi.na and that in a distinct and prominent form. The Chinese traditi ns a..cend to three thousand ears before Christ d the Sh King their canonical document beginning with th go rn ment f Yao places this 3 years before Chri..t. It may here be incidentally remarked that the other A..iati ki..gdoms also reach a high an tiquity Ac o ding t the calculation of an Eng li.h writ r the Egyptian hi..tory e g reaches to 2 7 ears befo e Christ th Assyrian to 2 1 th Indian to 2 04. Thus the traditi ns respect i..g the principal kingdoms of the East reach to bout 300 years before the birth of Christ. C mparing this with the history of the Old Testame t, space f 2400 years acc rding t th common ac ep..ation intervened between the D luge and the Christian era But Johannes von Muller has ddu ed weighty objecti ns t this number He places the Deluge in the year 34 3 before Christ—thus about a thousand years earlier— pportin.. his ew by the Septuagint. I remark this only to obviat a difficu..ty that may appear t rise when we meet with dates of hig er age than 400 years befo Christ ..nd yet find nothing about the Flood.

The Chinese ha e certain ancient canonical documen..s from which their history constitu ti n, and religion can be gathered. The Vedas and the Mosaic ecords are ..imilar books as also the Homeric poems Among the Chinese these books are called Kings and constitu the foundation of all their tudies Th Sh K g ..ains their his ory treats of the government f th ancient kings and gives the statutes en cted by this or that m na h. The I K g con sists f figures which ha e been egarded as the bases of the Chinese written character and this book is a..so considered th groundwork of the Chinese meditation. F t begins wi..h the b- stractions of unity and duality and then treats f th oncret existences pertaining to these abs..ract forms of thought. La..tly th Sh K g is the book f the dest poems in a great ariety f t les Th h..gh offi ers f th kingd m wer anciently commissioned to bring with them to the annual festival all th poems composed in their provin withi..n the year The empero in full ourt was the judge f these poems and those recognized as good received public ppro- ba on. Bes des these three books f archives

then attain to maturity here since moral laws are treated as legislative enactments and law on its part has an ethical aspect All that we call subjectivity is concentrated in the supreme head of the state who in all his legislation has an eye to the health wealth and benefit of the whole Contrasted with this secular empire is the spirit

can be developed

In the second phase—the *Indian* realm—we see the unity of political organization a perfect civil machinery such as exists in China in the first instance broken up The several powers of

appear as if they derived gain from the development of the distinctions in question For though we find the organization of the state no longer as in China determined and arranged by the one all absorbing personality the distinctions that exist are attributed to nature and so become differences of caste The unity in which these divisions must finally meet is a religious one and

of the isolation of the constituent elements of the idea a principle which posits the harshest antithesis—the conception of the purely abstract unity of God and of the purely sensual powers of nature The connection of the two is only a constant change a restless hurrying from one extreme to the other a wild chaos of fruitless variation which must appear as madness to a duly regulated intelligent consciousness

The third important form presenting a con

we might compare with Greece Persia on the other hand with Rome In Persia namely the theocratic power appears as a *monarchy* Now monarchy is that kind of constitution which does indeed unite the members of the body politic in the head of the government as in a point but regard that head neither as the absolute director nor the arbitrary ruler but as a power whose will is regulated by the same principle of law as the obedience of the subject We have thus a general principle a law lying at the basis of the whole but which still regarded as a dictum of mere nature is clogged by an antithesis The representation therefore which spirit makes of itself is at

jects and the Persian spirit is accordingly clear illuminated—the idea of a people living in pure morality as in a sacred community But this has on the one hand as a merely natural ecclesia the above antithesis still unreconciled and its sanctity displays the characteristics of a compulsory external one On the other hand this antithesis is exhibited in Persia in its being the empire of hostile peoples and the union of the most widely differing nations The Persian unity is not that abstract one of the Chinese Empire it is adapted to rule over many and various nationalities

Th

tion In the organization of these several peoples the various principles and forms of life have full play and continue to exist together We find in this multitude of nations roving nomads then we see in Babylonia and Syria commerce and industrial pursuits in full vigour the wildest sensuality the most uncontrolled turbulence The coasts mediate a connection with foreign lands In the midst of this confusion the spiritual God of the Jews arrests our attention—like Brahma existing only for thought yet jealous and excluding from his being and abolishing all distinct speciality of manifestations such as are freely allowed in other religions This Persian Empire then—since it can tolerate these several principles exhibits the antithesis in a lively active form and is not shut up within itself abstract and calm as are China and India—makes a real transition in the history of the world

If Persia forms the *external* transition to Greek life the internal *mental* transition is mediated by *Egypt* Here the antitheses in their abstract form are broken through a breaking through which effects their nullification This undeveloped reconciliation exhibits the struggle of the most contradictory principles which are not yet capable of harmonizing themselves but setting up the birth of this harmony as the problem to be solved make themselves a riddle for themselves

that they f und traces and mo uments A Tartar kingdom *Lya Tong* exist ng n the north of China is said to ha e been reduced and taken posses o f by the Ch ese w th the help of th estern Tartars about 1100 A D Th s ne er ... these v ry T rtars an oppo tunity

ountry any m re than did the ea st of th M ng ls n th ye r 1281 The Manchus that li e in Chin have t c nform to Chi ese ... en es

st tial spirit a d the individual but this is equivalent to th p it of the f m ly which is he e extended er the m t pop l us f coun t es The el ment of subje ti ty—that is to say the fl ct po t lf f the di idual ... in which t is bs rbed) o the rec gnit on f thi power *one with t own ent al be g* in wh h t kn ws tself *f e* —is n t found on this grade f devel pment The uni s l will displays its ti ty mmedi t ly th ough that of the ind dual the latte has self-cogniza ce t all in t thesis to bst ntial pos ti e be g wh ch t doe t y t rega d as a p we tandi g er g t t—as g Judaism th

tional ... f effectio nd personal independen If he does n t bey f h thus rtually separates himself f om the substance f his bei g inasmu h as this separation is n t medi t d b ret eat w thi pe sonal ty of his own th punishment he und goes does t af fect his ubj t d int rnal b t imply his outwa d xi ten e Th lement of s bj ctivity is therefor much wanting to this pol t cal ... th la t is t de ltog th des- ... f f undat on in the moral disposition of the ubject. F th ubstance s mply an in di dual—th emperor—whose law on.titutes ll the d posit on Neverth les thi gn ring I in lination does not imply caprice which would tself indicat inclination—that is sub-

jectivity and mobility Here we have the one be ng of th state supremely dom ant—the sub stance wh ch still hard and inflexible resembles nothing but itself includes no other element

This elat on then exp essed more defi itely d m e c nformably with its conception is

regard themselv s as bei ng ... and at the s me t me as children of the state In the family tself they are not personal t es for the consolidated unity in wh ch they ex st as members f it is consangu nity and natural ob l gation In the state they have as l ttle inde pendent personality for there the pat a chal ... d the o ernment is

in olving gra e a d unchangeable ... tal elations 1 Th mutual one f the emperor and pe le 2 Of the fathe s a d child en 3 Of an

into the om he must s em to co tract himself t n thing at the de f the door a d may n t lea the room with ut his father's permission When the f ther dies the on must mourn fo three y s—ab taining from meat and wine Th business in whi h he was engaged, even that of th state must be suspended fo he is ...

rea hed his fift eth yea exempts the bereaved from th excess e strictness of the egulations wh ch e then laxed that h may not be e d ced in person by them Th xtieth year re laxes them st'll f rth and the seventieth limit mourning to th l of the dress A mother is honored equally with a father When Lord Ma cartney saw the empe or th latter was ixty

kingdom Lu where Confucius appeared These books are the groundwork of the history the manners and the laws of China

This empire early attracted the attention of Europeans although only vague stories about it had reached them It was always marvelled at as a country which self-originated appeared to have no connection with the outer world

In the thirteenth century a Venetian (Marco Polo) explored it for the first time but his reports were deemed fabulous In later times everything that he had said respecting its extent and greatness was entirely confirmed By the lowest calculation China has 150 000 000 inhabitants another makes the number 200 000 000 and the highest raises it even to 300 000 000 From the far north it stretches toward the south to India on the east it is bounded by the vast

their mode of life The population and the thoroughly o g d

are some of the highest functionaries Two ministers constantly in attendance on the emperor are commissioned to keep a journal of every thing the emperor does command and says and their notes are then worked up and made use of by the historians We cannot go further into the minutiæ of their annals which as they themselves exhibit no development would only hinder us in ours Their history ascends to very ancient times in which Fohi is named as the diffuser of culture he having been the original civilizer of China He is said to have lived in the twenty ninth century before Christ—before the

western corner—China proper—towards that point where the Hwang Ho descends from the mountains for only at a later period did the

in the woods when they fed on the fruits of the earth and clothed themselves with the skins of wild beasts There was no recognition of de e

building themselves huts and making dwell gs He is aid to have directed their attention to the change and return of seasons to barter and trade to have established marriage to have ta ht that reason came from heaven and to have gi

ject of these various origins The progre s of the history is the extension of the culture thu orginated to the south and the beginning of a tate and a government The great empire which had thus gradually been formed was soon broken up into many provinces which carried on long wars with each other and were then re-united into a whole The dynasties in China have often been changed and the one now dominant is generally marked as the twenty second In connection with the rise and fall of the e dynasties aro e the different capital cities that are found in this empire For a long time Nanking was the capital now it is Peking at an earlier period other cities. China has been compelled to wage many wars with the Tartars who penetrated far into the country The long wall built by Shih Huang Ti and which has always been regarded as a most astounding achievement was rai ed as a barrier against the inroads of the northern nomads This prince divided the whole empire into thirty six provinces and made himself e pecially remarkable by his attacks on the old literature especially on the historical books and historical tudies generally He did this with the design of strengthening his own dynasty by destroying the remembrance of the earlier one After the historical books had been collected and burned, many hundreds of the *literati* fled to the mountains in order to save what remained Every one that fell into the emperor s hands experienced the same fate as the books This book burning is a very important circumstance for in spite of it the strictly canonical books were a ed as is generally the case The first connection of China with the West occurred about 64 A D At that epoch a Chinese emperor despatched ambassadors (it is said) to visit the wise ages of the West Twenty years later a Chinese general is reported to have penetrated as far as Judea At the beginning of the eighth century after Christ the first Christians are reputed to have gone to China of which visit later visitors assert

exercise his abilities of mind and body. All the ideals of princely education which have been so numerous and varied since the appearance of Fénelon's Télémaque are realized here. In Europe there can be no Solomons. But here are in place and the necessity for such governments; since the rectitude, the prosperity, the security of the whole depend on the one impulse given to the entire chain of the hierarchy. The deportment of the emperor is represented to us as in the highest degree simple, natural, noble and reasonable. Free from proud taciturnity or repelling haughtiness in speech or manners, he lives in the consciousness of his own dignity and in the exercise of imperial duties to whose observance he has been disciplined from his earliest youth. Besides the imperial dignity there is properly no distinction of rank or nobility among the Chinese; only the princes of the imperial house and the sons of the ministers enjoy any precedence, and that rather by their position than by their birth. Otherwise all are equal, and only those have a share in the administration who have ability for it. Offices of state are therefore occupied by men of the greatest intellect and education. The Chinese State has consequently been often set up as an ideal which ought to serve even us for a model.

The next thing to be considered is the administration of the empire. We cannot speak, in reference to China, of a constitution; for this would imply that individuals and corporations have independent rights—partly in respect of their particular interests, partly in respect of the entire state. This element must be wanting here, and we can only speak of an administration of the empire. In China we have the reality of absolute equality, and all the differences that exist are possible only in connection with that administration, and in virtue of the worth which a person may acquire, enabling him to fill a high post in the government. Since equality prevails in China, but without any freedom, despotism is necessarily the mode of government. Among us, men are equal only before the law, and in the respect paid to the property of each; but they have also many interests and peculiar privileges, which must be guaranteed, if we are to have what we call freedom. But in the Chinese Empire these special interests enjoy no consideration on their own account, and the government proceeds from the emperor alone, who sets it in movement, as a hierarchy of officials or mandarins. Of these, there are two kinds—learned and military mandarins—the latter corresponding to our officers. The learned mandarins constitute the higher rank, for in China, civilians take precedence of the military. Government officials are educated at the schools; elementary schools are instituted for obtaining elementary knowledge. Institutions for higher culture, such as our universities, may perhaps be said not to exist. Those who wish to attain high official posts must undergo several examinations—usually three in number. To the third and last examination, at which the emperor himself is present, only those can be admitted who have passed the first and second with credit, and the reward for having succeeded is the immediate introduction into the highest council of the empire. The sciences an acquaintance with which is especially required, are the history of the empire, jurisprudence and the science of customs and usages, and of the organization and administration of government. Besides this, the mandarins are said to have a talent for poetry of the most refined order. We have the means of judging of this particularly from the romance *Ju-kiao-li*, or *The Two Cousins*, translated by Abel Rémusat; in this a youth is introduced who having finished his studies is endeavouring to attain such distinctions. The officers of the army also must have some mental acquirements; they too are examined; but civil functionaries enjoy, as stated above, far greater respect. At the great festivals, the emperor appears with a retinue of two thousand doctors, i.e., mandarins in civil offices, and the same number of military mandarins. (In the whole Chinese state there are about [illegible] civil, and [illegible] military mandarins.) The mandarins who have not yet obtained an office, nevertheless belong to the court, and are obliged to appear at the great festivals in the spring and autumn, when the emperor himself guides the plough. These functionaries are divided into eight classes. The first are those that attend the emperor, then follow the viceroys, and so on. The emperor governs by means of administrative bodies, for the most part composed of mandarins. The council of the empire is the highest body of the kind: it consists of the most learned and talented men. From these are chosen the presidents of the other courses. The greatest publicity prevails in the business of government. The subordinate officials report to the council of the empire, and the latter lays the matter before the emperor, whose decision is made known in the court journal. The emperor often accuses himself of faults; and if his princes have been unsuccessful in their examinations, he blames them severely. In every ministry and in various parts of the empire, there is a censor (*Ko-tao*)

eight years old (sixty years is among the Chinese a fundamental round number as one hundred is among us) notwithstanding which he visited his mother every morning on foot to demonstrate his respect for her The New Year s congratulations are offered even to the mother of the emperor and the emperor himself cannot receive the homage of the grandees of the court until he has paid his to his mother The latter is the first and constant counsellor of her son and all announcements concerning his family are made in her name The merits of a son are ascribed not to him but to his father When on one occasion the prime minister asked the emperor to confer titles of honour on his father the emperor issued an edict in which it was said

Famine was desolating the empire Thy father gave rice to the starving What beneficence! The empire was on the edge of ruin Thy father defended it at the hazard of his life What fidelity! The government of the kingdom was intrusted to thy father he made excellent laws maintained peace and concord with the neighboring princes and asserted the rights of my crown What wisdom! The title therefore which I award to him is beneficent faithful and wise The son had done all that is here ascribed to the father In this way ancestors a fashion the reverse of ours obtain titles of honour throu h their posterity But in return every father of a family is responsible for the transgressions of his descendants duties ascend but none can be properly said to descend

It is a great object with the Chinese to have children who may give them the due honours of burial pay respect to their memory after death and decorate their grave Although a Chinese may have many wives one only is the mistress of the hou e and the children of the subordinate wives have to honor her absolutely as a mother If a Chinese husband has no children by any of his wives he may proceed to adoption with a view to this po thumous honour For it is an indispensable requirement that the grave of parents be annually visited Here lamentations are annually renewed and many to give full vent to their grief remain there sometimes one or two months The body of a deceased father is often kept three or four months in the house and during this time no one may sit down on a chair or sleep in a bed Every family in China has a hall of ancestors where all the members annually assemble there are placed representations of those who have filled exalted posts while the names of tho e men and women who have been of less importance in the family are

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t u who had become a Christian having ceased to honor his ance tors in this way exposed himself to great persecutions on the part of his relatives The same minuteness of regulation which prevails in the relation between father and children characterizes also that between the elder brother and the younger ones The former has though in a less degree than parents claims to reverence

This family basis is also the basis of the constitution if we can speak of such For although the emperor has the right of a monarch standing at the summit of a political edifice he exerci es it paternally He is the patriarch and everything in the state that can make any claim to reverence is attached to him For the emperor is chief both in religious affairs and in science—a subject which will be treated of in detail further on. This paternal care on the part of the emperor and the spirit of his subjects—who like children do not advance beyond the ethical princip e of the family circle and can gain for them elves no independent and civil freedom—makes the whole an empire administration and ocial code which is at the same time moral and thor

r nage the government and mu t himself be acquainted with and direct the legislative business of the Empire although the tribunals give their assistance Notwithstanding this there is little room for the exercise of his individual will for the whole government is conducted on the basis of certain ancient maxims of the empire while his constant oversight is not the less necessary The imperial princes are therefore edu cat d h

education is conducted under the emperor s u perintende ce d h
emper
must a
An examination of the princes takes place every year and a circumstantial report of the affair is published throu h the whole empire which feels the deepest intere t in the e matters China has therefore succeeded in getting the greatest and best governors to whom the expre sion Solomonian wisdom might be applied and the present Manchu dynasty has especially distinguished

itself by abilities of mind and body All the ideals of prin es and f princely education which ha e been o numerous and aried ance th appear ance of Fenelon T l maqu are ealized here. In Europe there can be no Solomons. B t here are th place and the necessity for uch govern ment ein e the ectit de the prosperity the se rv fall dependo theo e mpul e gr ent

e ly no elevat d rank n n b u g the Chinese only th princes of the imperi l house d the sons of the m n t rs enj y any p ece dence f th kind, and they rath by their posi tion than by their b rth. Otherwise all e equal and only th se ha a ha in the administration of affairs who ha abilit f r it Official stations are th ref e occup d by m of the greatest tellect and education The Chinese tate has onsequentl been ften et up as an ideal which may serve e en us fo a model.

Th xt thing to be de ed is the *dm n* of th emp re We cannot speak, in ref e en t China f *onst t t o* f r this w uld impl that indi duals d rporati s ha e in *dependent rig ts*—partly in respect of their par

equalit d ll the differen es that ex t are pos bl only in connecti with that dministra tion, a d in rt e f the w rth which person may quire enabling him to fill a high post in t g ernment Since equality prevails in China but with ut any f eed m despotism necessar the mod f government Amo g us men are equal nl bef th law and in the espect paid t th p perty f e ch but they ha e also many t est and peculiar pri leges which m t be guara teed. f we are t ha e what we al f eed m But in the Chinese Emp e these pecial int ests enj y consid rat their own ount and the g rnment p oceeds f m th empe lon wh sets t in mo ement as h erarchy f officials r mandarins Of these there e tw kinds—learned and military man darins—th latter rrespo ding to our officers The learned ma darins onstitute the higher

rank f r in China ci ilians take p ecedence of the military Go ernment officials a e educated at the chools elementary chools are instituted for btaining el mentary knowl dge Institutions for high r cult ation such as our uni ersit es may perhap be said n t to exist. Tho e who wi h to attain h gh official posts mu t undergo several examinations—u ually three in number T the third and la t examinat on t which the empero him. If is prese t only those can be admitted wh ha e pa d the first and ec nd with credit and the rewa d for ha in ucceed t oduction into the s an red and f th

rganizat on and dministration of g nment. Bes des this the mandarins a e said to ha e a talent for poetry of the m t refin d rder We ha e the means of j dging of this particula ly r *The Two Cous*

cers f the rmy also mu t ha e ome me tal acquirements th y too are xamined but ci il functionaries enj as tated above far greater respect. At the gr t festi als the empero ap pears with a etinue of tw th usa d doct r mandarins in ci il offi es and the same numbe f military ma darins (In the whol Chinese st t the e a about 15 000 ci l and Th m d n who

when the empero im en gui t p Thes fun tionarie are di d d into e ght class es The first e those that ttend th empe r then f ll w th cer ys and s on. The emper go erns by means of admini trat e bodies f r the most part c mposed f mandarins The ouncil of the emp re is th hi he t body f the kind t c s ts of the mo t l arned and tal ented men From these chosen th p es de ts of th th r college The greatest publicity p e ails in the bu iness of g ernment. Th ub o dinat officials report t the ouncil f the emp and the latter lay th matt r befo e the empero wh se d ci n made known in the c rt journal. The emperor often ccuses him self f f ults a d h uld his princes ha e been un es ful in thei examination h blames them sev ly In e ery ministry and in arious parts of the emp th re is a cens (*K tao*)

who has to give the emperor an account of everything These censors enjoy a permanent office and are very much feared They exercise a strict surveillance over everything that concerns the government and the public and private conduct of the mandarins and make their report immediately to the emperor They have also the right of remonstrating with and blaming *him* Chinese history gives many examples of the noble mindedness and courage of these Ko taos For example A censor had remonstrated with a tyrannical sovereign but had been severely repulsed Nevertheless he was not turned away from his purpose but betook himself once more to the Emperor to renew his remonstrances Foreseeing his death he had the coffin brought in with him in which he was to be buried It is related of the censors that cruelly lacerated by the torturers and unable to utter a sound they have even written their animadversions with their own blood in the sand These censors themselves form yet another tribunal which has the oversight of the whole empire The mandarins are responsible also for performing duties arising from unforeseen exigencies in the state If famine disease conspiracy religious disturbances occur they have to report the facts not however to wait for further orders from government but immediately to act as the case requires The whole of the administration is thus covered by a network of officials Functionaries are appointed to superintend the roads the rivers and the coasts Everything is arranged with

signed to secure the land from inundations The gates of every town are guarded by a watch and the streets are barred all night Government officers are always answerable to the higher council Every mandarin is also bound to make known the faults he has committed every five years and the trustworthiness of his statement is attested by a board of control—the censorship In the case of any grave crime not confessed the mandarins and their families are punished most severely From all this it is clear that the emperor is the centre around which everything turns consequently the well being of the country and people depends on him The whole hierarchy of the administration works more or less according to a settled routine which in a peaceful condition of things becomes a convenient habit Uniform and regular like the course of nature it goes its own way at one time as at another time but the emperor is required to be the moving ever wakeful spontaneously active soul If then the personal character of the emperor is not of the order described—namely thoroughly moral laborious and while maintaining dignity full of energy—everything is relaxed and the government is paralyzed from head to foot and given over to carelessness and caprice For there is no other legal power or institution extant but this superintendence and oversight of the emperor It is not their own conscience their own honour which keeps the offices of government up to their duty but an external mandate and the severe sanctions by which it is supported In the instance of the revolution that occurred in the middle of the seventeenth century the last emperor of the dynasty was very amiable and honourable but through the mildness of his character the reins of government were relaxed and disturbances naturally ensued The rebels called the Manchus into the country The emperor killed himself to avoid falling into the hands of his enemies and with his blood wrote on the border of his daughter s robe a few words in which he complained bitterly of the injustice of his subjects A mandarin who was with him buried him and then killed himself on his grave The empress and her attendants followed the example The last prince of the imperial house who was besieged in a distant province fell into the hands of the enemy and was put to death All the other attendant mandarins died a voluntary death

Passing from the administration to the *jurisprudence* of China we find the subjects regarded as in a state of nonage in virtue of the principle of patriarchal government No independent classes or orders as in India have interests of their own to defend All is directed and superintended from above All legal relations are definitely settled by rules free sentiment the moral standpoint generally is thereby thoroughly obliterated It is formally determined by the laws in what way the members of the family should be disposed towards each other and the transgression of these laws entails in some cases severe punishment The second point to be noticed here is the legal externality of the family relations which becomes almost slavery Every one has the power of selling himself and his children every Chinese buys his wife Only the chief wife is a free woman The concubines are slaves and like the children and every other chattel may be seized upon in case of confiscation

A third point is that punishments are generally corporal chastisements Among us this would

be an insult to honour n t so in China where t e feel g f h n ur has n t yet developed it self A dose f cudgelling is the most ea ily fo got en yet t is the severest puni hment for a m of honour who des res not to be esteemed

d en amo g us fo *correct ve* puni m t aims at improvem t that which is *r trib t* im plies entabl imput t on of guilt. In the *cor tive* the deterring principle is only the fear f puni ment not an on ci us ess of wron f here we cann t presum upon any reflecti n upon the nat re of the act on ts lf Among the Chinese all crimes those committed again t the laws f th family relat on as well as gainst t at e punished externall So s who fail in paying due hon ur to their f th ro mother yo nge brothers wh re n t sufficiently respectful t elde es a e bastinadoed. If a son complains of injustice don to him by his f ther r younger br the by elder he e cei es a hundred bl ws with a bamboo and is banis ed f three ears *f k is the right* f t h is tran led. If son sh uld ra e his hand gainst his f th he c demn d to ha e h s flesh torn f om his body with red h t p n cers Th relat betwee husba d and wife is like ll other f mil lat ons ry highly es teemed a d unfaithf lness—which h wev r on ount f the seclusio in which the w me re kept ca ery seld m present tself—meets with severe animadversi n. Simila penalties await the xhib t on the part f a Chinese f gre t er ffect on t on f his infer wi es than to th matron who h ds his establishment sh ld h latter mplain f uch disparagement In China every mandarin is th rized to inflict b ow with the bamboo even the highest a d most illustrious—m ni t rs er ys and even h f ntes f th empe himself—are pun ished in this fash n. The friendship f th Em pe t withdrawn on unt f uch chas tisement a d they themsel es ppea not sensi bl to hed b t When on e occas on th la t English embassy to China was co ducted h e from the pala e by the princes and their ri rue ma ter of the ce emonies m d r mak room with ut a y ceremony leared the w y mon th prin es and bles with a whip. A egards espon bility the distinction be ween *pr pen* and blam less or acci dental mm ssion f an ct is not e d ded f

accident among the Ch ese is as much charged with blame as intention. Death is the penalty of accidental homic de This ignoring of the distinction between accident and intention occa i ns most of the disputes between the English and the Chine e for hould the former be at t cked by the latter—should a ship of war be he ing tself attacked defend itself and a Chi nese be killed as the consequence—the Chinese are a cu tomed to require that the Englishman wh fi ed the f tal hot hould lose his life E ry ne who is in y way connected with the tran gressor shares especially in the case of crimes against the empero the ruin of the ac tual ffend r all his ear kinsmen are tortu ed to de th. The printers of an objectionable book and those who read it, are simila ly exposed to the ergeance f the law The direction wh ch this tate of thi gs gi es to private revenge is ingular It ma be said of the Chinese that they are extremely sen iti e t inj ries and of a in dicti nature T sati fy his reve ge the of

by dr wning Fo when anyone ha committed su

th hope that his family will acquire the proper ty f his ad ersary Such is the fearful tate of things in ega d to responsibility and non responsibility all subjecti e freed m and m ral c ncernment with an tion a e ign red. In the Mosaic Laws wh re th distinction betw en *dolus cul a*, and *casus* is lso t yet lea ly ec ognized th is nevertheless an asylum ope ed f the innoc t h m cid to which he may be take hims lf

Ther is in China distinction in th penal code between high r and lower classes A field marshal of th emp wh had ery m h dis tingu hed himself was tradu ed n some ac count t the emperor and the punishment fo the alleged crim was that he should be a spy upo those who did t fulfil thei duty in clear

ing away the snow from the streets

Among the legal relations of the Chinese we have also to notice changes in the rights of possession and the introduction of slavery which is connected there with it The soil of China in which the chief possessions of the Chinese consist was regarded only at a late epoch as essentially the property of the state At that time the ninth of all moneys from estates was allotted by law to the emperor At a still later epoch serfdom was established and its enactment has been ascribed to the Emperor Shih Huang Ti who in the year 213 B C built the Great Wall who had all the writings that recorded the ancient rights of the Chinese burned and who brought many independent principalities of China under his dominion His wars caused the conquered lands to become private property and the dwellers on these lands serfs In China however the distinction between slavery and freedom is necessarily not great since all are equal before the empere –
honour
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ment is connected the great immorality of the Chinese They are notorious for deceiving wherever they can Friend deceives friend and no one resents the attempt at deception on the part of another if the deceit has not succeeded in its object or comes to the knowledge of the person sought to be defrauded Their frauds are most astutely and craftily performed so that Europeans have to be painfully cautious in dealing with them Their consciousness of moral abandonment shows itself also in the fact that the religion of Fo is so widely diffused a religion which regards as the highest and absolute—as G d—

We come then to the consideration of the *religious* side of the Chinese polity In the patriarchal condition the religious exaltation of man has merely a human reference—simple moral

which is its sanction Except in these simple aspects all the relations of the natural world the postulates of subjectivity of heart and soul are entirely ignored. The Chinese in their patriarchal despotism need no such connection or mediation with the highest Being for education the laws of morality and courtesy and the commands and government of the emperor embody all such connection and mediation as far as they feel the need of it The emperor as he is the supreme head of the state is also the chief of its religion Consequently religion is in China essentially state religion The distinction between it and Lamaism must be observed since *the latter* is not develon d to
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what we call religion F

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this retirement is able to release himself from the power of secular government But in China religion has not risen to this grade for true faith is possible only where individuals can seclude themselves can exist for themselves independently of any external compulsory power In China the individual has no such life does not enjoy this independence in any direction he is therefore dependent in religion as well as in other things that is dependent on objects of nature of which the most exalted is the material heaven On this depend harvest the seasons of the year the abundance and sterility of crops The emperor as crown of all the embodiment of power alone approaches heaven individuals as

vokes blessings on the sowing of the seed. This heaven might be taken in the sense of our term God as the Lord of nature (we say for example Heaven protect us!) but such a relation is beyond the scope of Chinese thought, for here the one isolated self consciousness is substantial being the emperor himself the supreme power Heaven has therefore no higher meaning than nature The Jesuits indeed yielded to Chinese notions so far as to call the Christian God Heaven — *Tien* but they were on that account accused to the Pope by other Christian orders The Pope consequently sent a cardinal to China who died there A bishop who was subsequently despatched enacted that instead of Heaven the term Lord of Heaven hould be adopted The relation to *Tien* is supposed to be such that the good conduct of individuals and of the emperor brings blessing their transgressions on the other hand cause want and evil of all kinds The Chinese religion involves that primitive element of magical influence over nature inasmuch as human conduct absolutely deter

mines the course of even... If the emperor be-
haves well, prosperity cannot but ensue. Heaven must ordain prosperity. A second side of this religion is that as the general aspect of the relation of Heaven is bound up with the person of the emperor he has also its more special bearings in his hands ... the particular well being of individuals and provinces. These have each an appropriate genius (Chen) which is subject to the emperor who pays adoration only to the general power of heaven, while the several spirits of the natural world follow his laws. He is thus made the proper legislator for heaven as well as for earth. To these genii, each of which enjoys a worship peculiar to itself certain sculptured forms are assigned. These are disgusting idols which have not yet attained the dignity of art, because nothing spiritual is represented in them. They are therefore only terrific, frightful and ...

tain and river possess an appropriate genius. All these spirits are subordinate to the emperor and in the annual directory of the Empire are registered the functionaries and genii to whom such ... stream, brook, river etc., has been intrusted. If mischance occurs in any part, the genius is deposed as a mandarin would be. The genii have innumerable temples (in Peking nearly ...000) which ... number of priests and convents are attached. These "bonzes" live unmarried, and in all cases of distress are applied to by the Chinese for counsel. In other respects however neither they or the temples are much venerated. Lord Macartney's embassy was even quartered in temples—such buildings being used as inns. The emperor has sometimes thought fit to secularize many thousands of these convents, to compel the bonzes to return to civil life and to impose taxes on the estates appertaining to the foundations. The bonzes ... soothsayers and exorcist for the Chinese ... given up to boundless superstition. This arises from the want of subjective independence and presupposes the very opposite of freedom of spirit. In every undertaking e.g. if ... of a house ... of a grave etc. is to be determined, the advice of the soothsayers is asked ... the ... K... certain Lines are given ... which supply fundamental forms and categories ... on account of which this book is called the *Book of Fate*. A certain meaning is ascribed to the combination of such lines and prophetic announcements are deduced from this groundwork. Or a number of little sticks are thrown into the air and the fate in question is prognosticated from the way in which they fall. What we regard as chance as natural connection, the Chinese seek to deduce ... attain by magical arts and in this particular also their want of spiritual religion is manifested.

With this deficiency of genuine subjectivity is connected moreover the form which Chinese *science* assumes. In mentioning Chinese sciences we encounter a considerable clamour about their perfection and antiquity. Approaching the subject more closely we see that the sciences enjoy very great respect, and that they are even *publicly* extolled and promoted by the government. The emperor himself stands at the apex of literature. A college exists whose special business it is to edit the decrees of the emperor with a view to their being composed in the best style and thus redaction assumes the character of an important affair of state. The mandarins in their notifications have to study the same perfection of style, for the form is expected to correspond with the excellence of the matter. One of the highest governmental boards is the Academy of sciences. The emperor himself examines its members; they live in the palace and perform the functions of secretaries, historians of the empire, natural philosophers and geographers. Should a new law be proposed, the academy must report upon it. By way of introduction to such report it must give the history of existing enactments, or if the law in question affects foreign countries, a description of them is required. The emperor himself writes the prefaces to the works thus composed. Among recent emperors *Kien-Long* especially distinguished himself by his scientific acquirements. He himself wrote much, but became far more remarkable by publishing the principal works that China has produced. At the head of the commission appointed to correct the press was a prince of the empire, and after the work had passed through the hands of all, it came once more back to the emperor who severely punished every error that had been committed.

Though in one aspect the sciences appear thus pre-eminently honoured and fostered, there are wanting to them on the other side that free ground of subjectivity and that properly scientific interest, which make them a truly theoretical occupation of the mind. A free, ideal, spiritual kingdom has here no place. What may be

called scientific is of a merely empirical nature and is made absolutely subservient to the useful on behalf of the state—its requirements and those of individuals The nature of their written language is at the outset a great hindrance to the development of the sciences Rather converse ly because a true scientific interest does not exist the Chinese have acquired no better in strument for representing and imparting thought They have as is well known beside a spoken language a *written language* which does not express as ours does individual sounds—does not present the spoken words to the eye but represents the ideas themselve by signs This appears at first sight a great advantage and has gained the suffrages of many great men—among others of Leibnitz In reality it is anything but such For if we consider in the first place the effect of such a mode of writing on the spoken language we shall find this among the Chinese very imperfect on account of that separation For our spoken language is matured to distinct ness chiefly through the necessity of finding signs for each single sound which latter by reading we l arn to express distinctly The Chinese to whom such a means of orthoepic development is want ing do not mature the modifications of sounds in their language to distinct articulations capa ble of being represented by letters and syllables Their spoken language consists of an inconsid erable number of monosyllabic words which are used with more than one signification The sole methods of denoting distinctions of meaning are the connection the accent and the pronuncia tion—quicker or slower softer or louder The ears of the Chinese have become very sensible to such distinctions Thus I find that the word *po* has eleven different meanings according to the tone denoting glass to boil to winnow wheat to cleave asunder to water to prepare an old woman a slave a liberal man a wise per son a little

As to their written language I will specify only the obstacles which it presents to the ad vance of the sciences Our written language is very simple for a learner as we analyze our poken language into about twenty five articula

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we have to learn only these signs and their com binations Instead of twenty five signs of this sort the Chinese have many thousands to learn The number necessary for u e is reckoned at 9,353 or even 10 516 if we add those recently introduced and the number of characters gen erally for ideas and their combinations as they are presented in books amounts to from 80 000 to 90 000 As to the sciences themselves *history* among the Chinese comprehends the bare and definite facts without any opinion or reasoning upon them In the same way their *jurisprudence* gives only fixed laws and their *ethics* only deter minate duties without raising the question of a subjective foundation for them The Chinese have however in addition to other ciences a *philosophy* whose elementary principles are of great antiquity since the *Y King* the *Book of Fates* treats of origination and destruction In this book are found the purely abstract ideas of unity and duality the philosophy of the Chi ne e appears therefore to proceed from the same fundamental ideas as that of Pythagoras The fundamental principle recognized is *reason—tao* that essence lying at the basis of the whole which effects everything To become acquainted with its forms is regarded among the Chinese also as the highest science yet this has no connection with the educational pursuits which more nearly concern the state The works of Lao tsu ande pe cially his work *Tao te ching* are celebrated. Confucius visited this philosopher in the sixth century before Christ to testify his reverence for him Although every Chinaman is at liberty to study the e philosophical works a particular sect calling itself *Tao tse* Honorers of Rea son makes this study its special business Tho e who compose it are isolated from civil life and there is much that is enthusiastic and mystic in termingled with their views They believe for in stance that he who is acquainted with reason possesses an instrument of univer al power which may be regarded as all powerful and which communicates a supernatural might so that the po essor is enabled by it to exalt him self to heaven and is not subject to death (much the same as the universal elixir of life once talked of among us) With the works of Confucius we have become more intimately acquainted To him China owes the publication of the *Kings* and many original works on morality besides which form the basis of the customs and conduct of the Chinese In the principal work of Con fucius which has been translated into English are fou d

sciences they are not regarded as such but rather as branches of knowledge for the behoof

Vid Hel ... Geschichte der Philosophie I p 138

of prac cal ends. The Chinese are far behind in ma_ema cs, phys cs and astronomy notwithstanding their quondam reputation in regard to them. They knew man things at time when Europeans had not disco ered them but they have not understood how to app their kn wledge as, e.g the magnet and the art f printing But they have made no adva e in the applica tion f these disco eries. In the latter f r in stan e, they continue t engra e the letters in wooden b ocks and then print them off they know othing f movable types Gunpowder too they pretended to ha e invented befo the Europeans but the Jesuits were obliged to f und their first cannon. As t mathematics they understand well en ugh how t reckon but the higher aspect f the sc ence is unkn wn. The Chinese also have long passed a great astro mers. Laplace has investigated their acqu tions in this department, and discovered that they possess some ancien c counts and ti es f lunar and solar eclipses but these certainly do ot consti ute a *scienc* The oti es in question are m eover so in defin e, that they cann t properl be put in the ca egory f knowledge. In th *Sh King* g we ha e two eclipses f the sun mentioned in the space of 1 oo years. The best vidence f th a f astronomy among the Chinese is the f ct tha for many hundred years th Chinese calendars have been made by Europeans. In earlie times, whe Chinese astronom rs continued to ompose th calendar fal ... uncements f luna and sola eclipses ften occurred, en ing the execut on f the uthors. The telescopes which the Chinese ha e received s present f om th Europeans, are set up for orna ment bu they ha e ot an dea how to make further use f them. Medicine too is studied by the Chinese bu only empirically and the grossest uperst on is connected with its practi Th Chinese have as a general characteri c ema kable kill in imitation which is exer cised not merel in daily lif but also in art. They ha e ot yet succeeded in represen ing the beau ful, as beau ful f in their painting perspective and shadow re wanting And al t ough Chinese pai er copies European p tures (as th Chinese do everything else) cor ly although he observes ccurately how man scales a carp has how many indent tions there are in the lea es f a tree what is the f rm f vario trees, and how the branches bend —the exalted, the deal and beau ful is not the domain f his rt and skill. The Chinese are on the other hand, too proud to learn any thing from Europeans, although they must often recognize their superiority A merchant in Canton had a European ship built, bu at the com mand of the governo it was immedia ely de stroyed. The Europeans re treated as beggars because they a e compelled to lea e their h me, and seek fo support elsewhere than in their own country Bes des the Europeans, just because of their intelligence ha e not yet been able to imitate the superficial and perfectly natural cleverness of t e Chinese Their prepara tion of varnishes their workin of metals, and especially their art of casting them extremel thin, their porcelain manuf cture and many other things ha e not yet been compl tely mastered by Europeans

This is the character of the Chinese people in ts various aspect. Its distinguishing fea ure is, that everything which belongs to spirit—unconstrained moralit in practice and theory ... d art properly

that they re born ... to drag the car of imperial power Th burden which presses them to ...

tinctions.

Section II

INDIA

India lik China is p en menon antique as well as modern on which has remained stationary and fixed, and has recei ed a most perfect home-sprung devel pment. It has alwa s been the land f imaginative aspiration and ppears to us ill as a fairy region, an enchanted wo ld. In contrast with the Chinese stat which presents only the most prosaic understanding India is the region f phantasy and sensibility Th point of advance in principle which it exhib ts to us ma be generally stated as f llows in China the patriarchal principle rules a people in

a condition of nonage the part of whose moral resolution is occupied by the regulating law and the moral oversight of the emperor Now it is the interest of spirit that *external* conditions should become *internal* ones that the natural and the spiritual world should be recognized in the subjective aspect belonging to intelligence by which process the unity of subjectivity and being generally—or the idealism of existence—is established This idealism then is found in India but only as an idealism of imagination without distinct conceptions —one which does indeed free existence from beginning and matter h it ch

itself as an occasional concomitant this happens only throu h accidental combination Since however it is the abstract and absolute thought itself that enters into these dreams as their material we may say that absolute being is pre sented here as in the ecstatic state of a dream ing condition For we have not the dreaming of an actual individual possessing distinct person ality and simply unfettering the latter from limitation but we have the dreaming of the unlimited ab olute spirit

There is a beauty of a peculiar kind in women in which their countenance presents a trans parency of skin a light and lovely roseate hue which is unlike the complexion of mere health and vital vigor—a more refined bloom breathed as it were by the soul within—and in which the features the light of the eye the position of the mouth appear soft yielding and relaxed This almost unearthly beauty is perceived in women in those days which immediately succeed child birth when freedom from the burden of preg nancy and the pains of travail is added to the joy of soul that welcomes the gift of a beloved infant A similar tone of beauty is seen also in

is already rising to the regions of the blessed but once more as it were lights up her dying countenance for a farewell kiss Such a beauty we find also in its loveliest form in the Indian world a beauty of enervation in which all t iat is rough rigid and contradictory is dissolved and we have only the soul in a state of emotion a soul however in which the death of free self reliant pirit is perceptible For should we approach the charm of this flower life a charm rich in imagination and genius in which its whole environment and all its relations are permeated by the rose breath of the soul and the world is transformed into a garden of love—should we look at it more closely and examine it in the light of human dignity and freedom—the more attractive the first si ht of it had been so much the more unworthy shall we ultimately find it in every respect

The character of spirit in a state of dream as the generic principle of the Hindu nature must be further defined In a dream the individual ceases to be conscious of self *as such* in contra distinction from objective existences When awake I exist for myself and the rest of crea tion is an external fixed objectivity as I myself am for it As external the rest of existence ex pands itself to a rationally connected whole a system of relations in which my individual be ing is itself a member—an individual being united with that totality This is the phere of *Understanding* In the state of dreaming on the contrary this separation is suspended Spirit has ceased to exist for itself in contrast wi h alien existence and thus the separation of the external and individual dissolves before its uni versality—its *essence* The dreaming Indian is therefore all that we call finite and individual and at the same time as infinitely universal and unlimited a something intrinsically divine The Indian view of things is a universal pantheism a pantheism however of imagination not of thought One substance pervades the whole of things and all individualizations are directly vitalized and animated into particular powers. The sensuous matter and content are in each case simply and in the rough taken up and carried over into the sphere of the universal and immeasurable It is not liberated by the free power of spirit into a beautiful form and ideal ized in the spirit so that the sensuous might be a merely subservient and compliant expression of the spiritual but is expanded into the im measurable and undefined and the divine is thereby made bizarre confused and ridiculous These dreams are not mere fables a play of the imagination in which the soul only revelled in fantastic gambols it is lost in them hurried to and fro by these reveries as by something that exists really and seriously for it It is de livered over to these limited objects as to i s lords and gods Everything therefore sun moon stars the Ganges the Indus beasts flowers everything is a god to it And while in this deification the finite loses its consistency and substantiality intelligent conception of it is im possible Conversely the divine regarded as es

enti lly hangeable and unfixed, s al.o by the base form which it assumes defiled and made ab urd. In this uni ers l deificat o of all finite n tence d co q ent degrad t on of th di e the dea f the nth py the incarnat on f G d, is ot a part cularly important oncep t n The parrot th c w the pe t are l ke wise incarn t ns of God yet a e not ther fo e e evated abo the r nature The di ine is not in di dualized to a subject t c e ete p rit but d graded to ulg rity nd n el s e s This gi es us a gene l de of the I dian ew of the uni erse *Th g* re as m ch stripped of rational ty of finit co tent st b lity of ca se and effect as *m* s of the te dfast es of f ee indi duality of per n l ty a d f e d m.

Ext rnally Ind usta ma fold lations to the hi tory of the wo ld. In r ce t times th di overy has b e m de that the San krit lies t the fo dat o of all those f rthe de l p- ments which form the languages of E op e g

importa ce bound up with the fate of nations Those wishes ha e been reali ed th s land of desire h s been attained there is carcely any great nat o of the east nor of the modern d fo itself a l world netrate

this land f m rvels nly circuitou y ... others de d by way of the ea which as has been sa d is the ge eral unit r of c untr es The E gli h or rathe the Ea t Ind Company a e the lords of th land for it i the nece sary fate of A iatic empi es to be s bj cted to Europeans

E gli h t oops th ir pay Sin e the country t th M hrattas was conquered by the English no p rt of Indi h s as erted its ndependenc of th way They ha e alread gain d a f oting in the Burman Emp and p ss d the B hm

f rmed d n gard t whi h they ha e done thei be t t f get I dia leme t of cult Th spr d f I d cult e s p ehi t ric l f h t ry lim ted t that wh h makes essent l epoch th des l pment of p rit On th wh l the d ffu on of I di n cultur is only d mb deedle xpa s on that is it p e t pol t cal tio Th people f I dia ha ch ev d f e gn o q est but h e been ers oc a qu shed th m l s A d th l t way northern Indi ha been ent f em grat p od ct e of mer l ph l diff on I dia *land of de ir* f rm essential element in gen ral h t ry F m th most t times d wnwa ds ll nat on ha e di ected th w he and long n t g ning e s to the t easures of this la d f mars ls th most co tly which the earth p esen t ea res f nat e—pe l d monds pe fumes ose-e en es lepha ts lion et —a lso t ures f wi d m. Th y by h ch these t ea es ha e pa sed t th west ha t ll times been m tt f w ld historical

G ges and exte ding in the di ect on of Pers To the northea t Hindostan is bo de d by the Himalaya which ha be n scertain d by European t be th h ghe t m unt in ra e in the w ld fo ts summits are ab ut 6 000 fe t abo e th level f the sea On the other s d f th m untains the level again declines the dominio f the Chine e ext ds to that point d wh the En lish w shed to go to Lhasa to the Dalai Lam th y we e pr ve ted by the Chi ne T wards the west of India fl ws the Ind s in whi h th fi e ri rs are united whi h called the *Pentj b* (Punj b) t wh ch Alex der th G at pe et ated. The dominion of the English does t extend to the Indus the sect of the Sikhs inhab ts that di trict wh c nstit t th ghly democratic a d wh ha b k off fr m the I dian as well as f m the Mohammedan ligio and ccupy n i ter medi t gr und—ack owl dgi g only o e u p em Bei g They a pow ful nat d ha e r d ed to s bject on Kab l d Ka hm Besides thes th e dw ll lo g the I dus gen

uine Indian tribes of the warrior caste Between the Indus and its twin brother the Ganges are great plains The Ganges on the other hand forms large kingdoms around it in which the sciences have been so highly developed that the countries around the Ganges enjoy a still greater reputation than those around the Indus The Kingdom of Bengal is especially flourishing The Nerbudda forms the boundary between the Deccan and Hindostan The peninsula of the Deccan presents a far greater variety than Hindostan and its rivers possess almost as great a sanctity as the Indus and the Ganges—which latter has become a general name for all the rivers in India as the River κατ ἐξ χη We call the inhabitants of the great country which we have now to consider *Indians* from the river *Indus* (the English call them *Hindus*) They themselves have never given a name to the whole for it has never become one empire and yet we consider it as such

With regard to the *political* life of the Indians we must first consider the advance it presents in contrast with China In China there prevailed an equality among all the individuals composing the empire consequently all government was absorbed in its centre the emperor so that individual members could not attain to independence and subjective freedom The next degree in advance of this unity is difference maintaining its independence against the all subduing power of unity An organic life requires in the first place one soul and in the second place a divergence into differences which become organic members and in their several offices develop themselves to a complete system in such a way however that their activity reconstitutes that one soul This freedom of separation is wanting in China The deficiency is that diversities cannot attain to independent existence In this respect the essential advance is made in India *ie* that independent members ramify from the unity of despotic power Yet the distinctions which these imply are referred to nature Instead of stimulating the activity of a

give rise to particular classes so combined however that their members can maintain their individuality In India we have only a division in masses—a division however that influences the whole political life and the religious consciousness The distinctions of class like that unity in China remain consequently on the same original grade of *substantiality ie* they are not the result of the free subjectivity of individuals Examining the idea of a state and its various functions we recognize the first essential function as that whose scope is the absolutely universal of which man becomes conscious first in religion then in science God the divine is the absolutely universal The highest class therefore will be the one by which the divine is presented and brought to bear on the community —the class of *Brahmans* The second element or class will represent subjective power and valour Such power must assert itself in order that the whole may stand its ground and retain its integrity against other such totalities or states This class is that of the warriors and governors—the *Kshattriyas* although Brahmans often become governors The third order of occupation recognized is that which is concerned with the specialities of life the satisfying of its necessities and comprehends agriculture crafts and trade the class of the *Vaisyas* Lastly the fourth element is the class of service the mere instrument for the comfort of others whose business it is to work for others for wages affording a scanty subsistence—the caste of *Sudras* This servile class properly speaking constitutes no special organic class in the state because its members only serve individuals their occupations are therefore dispersed among them and are consequently attached to that of the previously mentioned castes Against the existence of classes generally an objection has been brought especially in modern times drawn from the consideration of the state in its aspect of abstract equity But equality in civil life is something absolutely impossible for individual distinctions of sex and age will always assert themselves and even if an equal share in the government is accorded to all citizens women and children are immediately passed by and remain excluded The distinction between poverty and riches the influence of skill and talent can be as little ignored —utterly refuting those abstract assertions But while this principle leads us to put up with vari

stereotyped character condemn the Indian people to the most degrading spiritual serfdom The

ety f occupations and di tinct on of the classes to wh ch they are intrusted, we are m t here in India by the peculiar ci cum t nce that the in div dual belongs t such a cla_s e_se tiall by *birth* and is bound to t for life. All the concrete l t that makes ts appearance _inks back

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st cles ha e arisen from th union of the ai ous lasses Polygamy ecessarily tends to this A Brahman, e g is allowed three wi es from the three ther c_tes prov ded he has first taken one f m h_s wn. The offspring of such mixtures riginal bel ged to ca_te but o f the kings m en ed a method f clas fying these ca t ess persons wh ch in ol ed al_o the com mencement of arts and man factures The chil dren in questio we as gned to particular em ployments one sectio becam wea ers another wrought in iron and thus different cla_ses a ose f om these diff rent occupati ns The highest f these mixed castes c si ts of those wh ar born f om the marriag of Brahman with a wif f the warrio cas e th lowest is that f th *Chandalas* wh ha e t em ve corpses to xecu criminals d t perf rm impure offi es gene ll Th members of thi caste ar ex commun c ted and detest d and bliged to li e separat d f from ss ciation with others. Th Chandalas e obli d t move out f the w y for th ir superi rs and Brahman may knock down any that eglect t do so If Chandala dri k out f pond t is defiled, and requ_res to be n_ecrated afresh.

W must next on_der th relati position f these ca tes Th origi is ferred t a myth whi h t lls us that th Brahman cast proceeded f m Bra_ma mouth th warri cas f om his rms the industrial lasses f om his loi_ the rvil ca t f om his foot Many hist ria ha et up the hypothesi that th Brahmans rigi_all formed a separat sace do tal nat d this f ble is especially c unte nan ed by the Brahm ns themsel es. A people consis_i z f priests alone is assuredl the grea est bsurdit for we know *priori* that a di t t on of lasses can exist nly within a

di dual does not choose his particular pos ti for himself but rece es it f om nature In China the peopl a edepe dent without distinc

pations t the choice of the go erning body

that although the of a mechanic becomes mechanic the son of a peasant peasant and free ho c is ften limited by many restric ti e c cumstan es the *lig ous e_eme t* ta ds in the sam lat t all, and all a e in t d with n ab ol te value by rel gion. In I di th dir t trary is the case Another distinction between the classes of ociety as th y exist in the Christian w ld and tho e in Hind ta is th m ral dignity which xists among us in e ery class c ti ut_n that which man must possess in and thr gh himself I this espect the h ghe classes are equal to the l wer and whil eligion is th h gher sphe in which all sun thems_l es equ lity bef e the law rights f perso and f p operty are ga d fo ev ry class B t by th fact that in I dia

as already observed differences extend not only to the objectivity of spirit but also to its absolute subjectivity and thus exhaust all its relations—neither morality nor justice nor religiosity is to be found

Every caste has its especial duties and rights D

is a virtue the Hindus say on the contrary Bravery is the virtue of the *Kshattriyas* Humanity generally human duty and human feeling do not manifest themselves we find only duties assigned to the several castes Everything is petrified into these distinctions and over this petrification a capricious destiny holds sway Morality and human dignity are unknown evil passions have their full swing the spirit wanders into the dream world and the highest state is annihilation

To gain a more accurate idea of what the *Brahmans* are and in what the Brahmanical dignity consists we must investigate the Hindu religion and the conceptions it involves to which we shall have to return further on for the respective rights of castes have their basis in a religious relation *Brahma* (neuter) is the Supreme in religion but there are besides chief divinities *Brahma* (masc) *Vishnu* or *Krishna* incarnate in infinitely diverse forms and *Siva* These form a connected trinity Brahma is the highest but Vishnu or Krishna Siva the sun moreover the air etc are also Brahm *i e* substantial unity To Brahm itself no sacrifices are offered it is not honoured but prayers are presented to all other idols Brahm itself is the substantial unity of all The highest religious position of man therefore is being exalted to Brahm If a Brahman is asked what Brahm is he answers When I fall back within myself and close all external senses and say *om* to myself that is Brahm Abstract unity with God is realized in this abstraction from humanity An abstraction of this kind may in some cases leave everything else unchanged as does devotional feeling momentarily excited But among the Hindus it holds a negative position towards all that is concrete and the highest state is supposed to be this exaltation by which the Hindu raises himself to deity The Brahmans in virtue of their birth are already in possession of the divine The distinction of castes involves therefore a distinction between present deities and mere limited mortals The other castes may likewise become partakers in a *regeneration* but they must subject themselves to immense self denial torture and penance Contempt of life and of living humanity is the chief feature in this ascesis A large number of the non Brahmanical population strive to attain *regeneration* They are called Yogis An Englishman who on a journey to Tibet to visit the Dalai Lama met such a yogi gives the following account The yogi was already on the second grade in his ascent to Brahmanical dignity He had passed the first grade by remaining for twelve years on his legs without ever sitting or lying down At first he had bound himself fast to a tree with a rope until he had accustomed himself to sleep standing The second grade required him to keep his hands clasped together over his head for twelve years in succession Already his nails had almost grown into his hands The third grade is not always passed through in the same way generally the yogi has to spend a day between *five fires* that is between four fires occupying the four quarters of heaven and the sun He must then swing backwards and for

the blood streamed forth from every part of the devotee s body he was taken down and presently died If this trial is also surmounted the aspirant is finally buried alive that is put into the ground in an upright position and quite covered over with soil after three hours and three quarters he is drawn out and if he lives he is supposed to have at last attained the spiritual power of a Brahman

Thus only by such negation of his existence does anyone attain Brahmanical power In its highest degree this negation consists in a sort of hazy consciousness of having attained perfect mental immobility—the annihilation of all emotion and all volition a condition which is regarded as the highest among the Buddhists also However pusillanimous and effeminate the Hindus may be in other respects it is evident how little they hesitate to sacrifice themselves to the highest—to annihilation Another instance of the same is the fact of wives burning themselves after the death of their husbands Should a woman contravene this traditional usage she would be severed from society and perish in solitude An Englishman states that he also saw a woman burn herself because she had lost her child He did all that he could to divert her away from her purpose at last he applied to her husband who was standing by but he showed himself perfectly indifferent as *he had more wives at home* Sometimes twenty women are seen

t.rowing themselves a once into the Ganges, and on t... Himalaya range an English tra ell r found t.ree women seeking t.e source f the Ganges, in order to put an end t their life in t.is holy river A a relig us festival in t.e celebra ed temple of Juggernau t in Orissa, on the Bay of Bengal, where millions of Hindus a sem b t.e mage of the god Vishnu is drawn in procession on car about f e hundred men set it in motion, and many fling themselves down be re t.s wheels to be crus ed t p eces The wh sea-shore is a ready strewed with t.. bodies of persons who have t.us immol ed t.emselves. I.fa. cid is also very common in I.dia. Mothers t.row t eir c.ildren in o the Ganges, or let t.em p.e awa under t.e rays of t.. sun. The moral t which is involved in respect f human life is not found among the Hindus. There are bes des t.ose already men tioned, m... e modi..ca..ions of th same prin ciple of conduct, all poin...g to a...nihilation. This g is t.. leading prin.cip of the gym nosoph...s, as t.e Greeks called t.em. Naked fakirs wander about without a.. occupation, lik the mendica.. friars of t.e Ca... lic Church live on t.e a..ms of ot..ers a.d make it t.eir aim t reach t.e ..ghest degree f abstraction—the perfect deadening f consci usness point from which t.. tra..sicn t phy cal death is no grea. step.

This exaltation which ot..ers can only t..in by toilsome labour is as already ..a ed t.. birth right f t.e Bra..mans The Hi..du of another ca.. mu.. t.eref re reverenc the Brahman as d... y fall down before h..m a.d say t him "Tho art God. A..d t..s eleva on cannot ha e a.. t..ing t do with moral conduct, b... inasmu ch as all in ernal m rality is absen is ra..er dependent on farrago of observances relating t t.. merest externa..ties a.d trivialities f exis en Human life it is said ough to be perpetual w rship f God. I is ev den how hollow such general p rtions are when we consider t.. concre f rms w...h they ma assume. They require an ..er a further qua...ca tion, if t..ey are t ha e mea..ing Th Brahmans are present dei but t.eir spirituality has not yet been reflected inwards in contrast with ca ure a.d thus t.at ... h is purely ind...erent is trea ed as f absol importance. The em ployments f t.. Bra..mans con...s principally in t.e reading f the Vedas they only ha e a right t read them. Were udra t read the Vedas or t hear them read, he w uld be severely punished, a.d burn...g oil must be poured in o his ears. The external observances binding on

the Bra..ma..s are prodigiously numerous a..d the laws of Manu treat of them as the most essential part of duty The Brahman must rest on o..e particular foo in rising t..en wa h in a river his hair and nails must be cu in neat curves his whol body purified, his garmen..s w..i e in his ha..d mu..t be a t ff of a specified kind in his ears golden earri.. If the Brahman meets a man of ..n inferio caste, he mu..t turn back a..d purify ..imself He has also to read in the Vedas, in vari us wa s ea h word separately o doubling them al erna l or backwards. He may not look to the sun w en ri..., or se tt..g or when overcast b cloud or reflected i.. the wa er He is f rbidden to ep ve a rope to whi h a calf is fastened, o to go out when i rai..s. He may n t look at his wife when he eat.. sneezes gapes r is quietl seated. At th m d day meal h ma only ha e one garm...t on, in

time they may t look a the sun, at wa er or

po...erds, cotton seeds a..hes ..eaves of corn, r his urine. In the episod Nala in the poem f Mah bhara.. we have tory of a virgin who in h r 21 t year the age in which the maidens t..emselves have a right to choose a husba..d, makes selection from among her wooers There are fi e of them bu t.. maiden remarks tha four of t.em do not a d firmly on t..eir feet, a..d thence i..f rs correctly that they are god. She t.. refore chooses the fifth who is a ..erna bl man. B t besides the f ur despised di vinities there are two malevolent ones w..om her ch e had no f vored, and w o on tha accou.. wi..h for revenge. They theref re keep a s..rict wa ch on t.. husband f their beloved in every ep and act of life, with th design of in..cting injury upon him if h commits a misdemea..our Th persecuted husba..d does nothing t..at can be brought agai..t him, until ha he is so incautious as t step on his urine. The genius has now an advantage over him he afflicts h..m with a passion for gambling a..d so plunges h..m i.. t..e abyss.

While on the one hand the Brahmans are subject to these strict limitations and rules on the other hand their life is sacred it cannot answer for crimes of any kind and their property is equally secure from being attacked The severest penalty which the ruler can inflict upon them amounts to nothing more than banishment The English wished to introduce trial by jury into India the jury to consist half of Europeans half of Hindus and submitted to the natives whose wishes on the subject were consulted the powers with which the panel would be intrusted The Hindus were for making a number of exceptions and limitations They said among other things that they could not consent that a Brahman should be condemned to death not to mention other objections *e g* that looking at and examining a corpse was out of the question Although in the case of a warrior the rate of interest may be as high as three per cent in that of a Vaisya four per cent a Brahman is never required to pay more than two per cent The Brahman possesses such a power that heaven s lightning would strike the king who ventured to lay hand on him or his property For the meanest Brahman is so far exalted above the king that he would be polluted by conversing with *him* and *would be dishonored by his daughters* choosing a prince in marriage In Manu s code it is said If anyone presumes to teach a Brahman his duty the king must order that hot oil *be poured into the ears and mouth of such an in*structor If one who is only once born load one who is twice born with reproaches a red hot iron bar ten inches long shall be thrust into his mouth On the other hand a Sudra is condemned to have a red hot iron thrust into him from behind if he rests himself in the chair of a Brah*man and to have his foot or* his *hand* hewed off if he pushes against a Brahman with hand or feet It is even permitted to give false testimony and to lie before a court of justice if a Brahman can be thereby freed from condemnation

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another caste even when in danger The other castes deem it *a great honour when a Brahman* takes their daughters as his wives—a thing however which is permitted him as already stated only when he has already taken one from his own caste Thence arise the freedom the Brahmans enjoy in getting wives At the great religious festivals they go among the people and choose those that please them best but they also repudiate them at pleasure

If a Brahman or a member of any other caste transgresses the above cited laws and precepts he is himself excluded from his caste and in order to be received back again he must have a hook bored through the hips and be swung repeatedly backwards and forwards in the air There are also other forms of restoration A rajah who thought himself injured by an English governor sent two Brahmans to England to detail his grievances But the Hindus are forbidden to cross the sea and these envoys on their return were declared excommunicated from their caste and in order to be restored to it they had to be born again from a golden cow The imposition was so far lightened that only those parts of the cow out of which they had to creep were obliged to be golden the rest might consist of wood These various usages and religious observances to which every caste is subject have occasioned great perplexity to the English especially in enlisting soldiers At first these were taken from the Sudra caste which is not bound to observe so *many ceremonies* but nothing could be done with them they therefore betook themselves to the Kshattriya class These however have an immense *number of regulations to observe* they may not eat meat touch a dead body drink out of a pool in which cattle or Europeans have drunk not eat what others have cooked etc Each Hindu assumes one definite occupation and that only so that one must have an infinity of servants a lieutenant has *thirty* a major *sixty* Thus every caste has its own duties the lower the caste the less it has to observe and as each individual has his position assigned by birth beyond this fixed arrangement everything is governed by caprice and force In the code of Manu punishments increase in proportion to the inferiority of castes and there is a distinction in other respects If a man of a higher caste brings an accusation against an inferior without proof the former is not punished if the converse occurs the punishment is very severe *Cases of theft* are exceptional in this case the higher the caste the heavier is the penalty

In respect to property the Brahmans have a *great advantage for they pay* no taxes The prince receives half the income from the land of others the remainder has to suffice for the cost of cultivation and the support of the labor

ers It is an extremely important question, whether the cultivated land in India is recognized as belonging to the cultivator or belongs to a so-called manorial proprietor The English themselves have had great difficulty in establishing a clear understanding about it For when they conquered Bengal, it was of great importance to them to determine the mode in which taxes were to be raised on property and they had to ascertain whether these should be imposed on the tenant cultivators or the lord of the soil They imposed the tribute on the latter but the result was that the proprietors acted in the most arbitrary manner drove away the tenant cultivators and declaring that such or such an amount of land was not under cultivation, gained an abatement of tribute They then took back the expelled cultivators as day labourers at a low rate of wages and had the land cultivated on their own behalf The whole income belonging to every village is, as already stated, divided into two parts of which one belongs to the rajah, the other to the cultivators but proportionate shares are also received by the provost of the place the judge the water surveyor the Brahman who superintends religious worship the astrologer (who is also a Brahman, and announces the days of good and ill omen) the smith the carpenter the potter the washerman the barber the physician the dancing girls the musician the poet This arrangement is fixed and immutable and subject to no one's will *All political revolutions*, therefore, are matters of indifference to the common Hindu, for his lot is unchanged.

The view given of the relation of castes leads directly to the subject of religion. For the claims of caste are as already remarked, not merely secular but essentially religious and the Brahmans in their exalted dignity are the very gods bodily present In the Law of Manu it is said Let the king even in extreme necessity beware of exciting the Brahmans against him for they can destroy him with their power—they who create fire sun moon, etc They are servants neither of God nor of his people but are God himself to the other castes—a position of things which constitutes the perverted character of the Hindu mind The dreaming unity of spirit and nature which involves a monstrous bewilderment in regard to all phenomena and relations we have already recognized as the principle of the Hindu spirit. The Hindu mythology is therefore only a wild extravagance of fancy in which nothing has a settled form which takes us abruptly from the meanest to the highest,

... borne to the most disgusting ...

and apply it to the Indian Brahman ...
... from Brahm—the former constituting one

... *Brahma* The English have taken a good deal of trouble to find out what Brahm properly is Wilford has asserted that Hindu conception recognizes two heavens the first the earthly paradise the second, heaven in a spiritual sense To attain them two different modes of worship are supposed to be required. The one involves external ceremonies idol worship the other requires that the Supreme Being should be honoured in spirit. Sacrifices purifications pilgrimages are not needed in the latter This authority states moreover that there are few Hindus ready to pursue the second way because they cannot understand in what the pleasure of the second heaven consists and that if one asks a Hindu whether he worships idols everyone says "Yes but to the question, Do you worship the Supreme Being every one answers No If the further question is put, "What is the meaning of that practice of yours that silent meditation which some of your learned men speak of? they respond, "When I pray to the honour of one of the gods I sit down, the foot of either leg on the thigh of the other look towards heaven, and calmly elevate my thoughts with my hands folded in silence then I say I am Brahm the Supreme Being We are not conscious to ourselves of being Brahm, by reason of Maya (the delusion occasioned by the outward world) It is ...

... ing these ideas then into our own process of thought, we should call Brahm the pure unity of thought in itself—God in the simple concentrativity of his existence No temples are consecrated to him, and he receives no worship Similarly in the Catholic religion the Churches are not dedicated to God, but to the saints. Other Englishmen, who have devoted themselves to investigating the conception of Brahm have thought Brahm to be an unmeaning epithet, applied to all gods so that Vishnu says I am Brahm and the sun, the air the seas are called Brahm. Brahm would on this supposition be substance in its simplicity

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As the Brahmans enjoy advantages over the other castes the latter in their turn have privileges according to precedence over their inferiors If a Sudra is defiled by contact with a Pariah he has the right to knock him down on the spot Humanity on the part of a higher caste towards an inferior one is entirely forbidden and a Brahman would never think of a sisting a member of another caste even when in danger The other

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In respect to property the Brahmans have a great ad antage for they pay no taxes The prince receives half the income from the lands of others the remainder has to suffice for the cost of cultivation and the support of the labor

ers. It is an extremel important question, whether the cultivated land in India is recog nized as belonging to the cultiva or or belongs ... proprie... The Eng h ... h ... en ... r ... ch ... taxes were t be raised on propert ... ev had to ascertain whether these ... ud be im posed on the tenant cultiva rs or the lord of the soil. They imposed the tribute on the latter but the res... was tha the proprietors acted in the most ... itrary manner drove away the tena... cultivators and declaring that such or such an amount f land was no made cultiva... on, raised an ab... emen f tribute. They then took back the expelled cul ivators as day labourers at a l w rat of wages and had the land cultivated on their own behalf. The whole income belonging to every village is as already stated, divided in two parts of which one belongs to the rajah, the other to the cultiva ors but proportionat ... ares are also received by the prevost f the place the judge the water surveyor the Brahmin who superintends re ligious worship the astrologer (who is also a Brahman, and announces the days of good and ill omen) the smith, the carpenter the potter the wa... erman the barber the physician, the dancing girls the musician the poet. This ... arrangement is fixed and immutable and subject to ... will ... revolutions there fore ... matters f indifference to the common Hindu, for his lot is un... hanged.

The view given of the relation f castes leads directly to the subject f religion. For the claims f cast... are as already remarked, ot merely secular but essentially religious and the Brahmans in their exalted dignity are the very gods bodily present. In the Laws of Manu it is said Let the king even in extreme necessity beware f exciting the Brahmans against him for they can destroy him with their power—they who create fire sun, moon, etc. They are servants neither of God ... of his peop... but are God himself to the ... castes—a position f things which ... the perverted character f the Hindu mind. The dreaming unity f spirit and ... which involves ... monstrous bewilder ment in regard to all phenomena and relations we have already recognized as the principle of the Hindu spirit. The Hindu mythology is there fore only a wild extravagance of fancy in which othing has settled f rm which takes us abruptly f om the meanest to the highest, and to take our conception of ... —the One—the Creator of heaven and earth—and apply it to the Indian Brahm. Brahma is distinct from Brahm—the former constituting one personality in contrasted relation t Vishnu and ... iva. Many therefore call the supreme existence which is over the first mentioned deity *Para brahma*. The English have taken a good deal f trouble to find out what Brahm prope... ... Wilford has asserted that Hindu conceptions recognize two heavens the first the earthl paradise the second, heaven in a spiritual sense. T ... tain them two different modes of worship ... re supposed to be required. The one involves external ceremonies ... idol-worship the other requires that the supreme Being should be honoured in spirit. Sacrifices purifications pilgrimages are not needed in the latter. This authority states moreover that there are few Hindus ready to pursue the second way because they cannot understand in what the pleasure of the second heaven consists and that if one asks a Hindu whether he worships idols every one says "Yes but to the question, Do you worship the Supreme Being every one answers No." If the further question is put What is the meaning of that practice f yours that silent meditation which some f your learned men speak f? they respond, "When I pray to the honour of one of the gods I sit down the foot of either leg on the thigh of the other look towards heaven and calmly elevate my thoughts with my hands folded in silence then I say I am Brahm the Supreme Being. We are not conscious to our ... adore ourselves In every case therefore it is only emanations of Brahm that we address. Translating these ideas then into our own process f thought we should call Brahm the pure unity of thought in itself—God in the ... omplete... of his existence. No temples are consecrated to him and he receives no worship. Similarly in the Catholic religion, the Churches are not dedicated to God, but to the saints. Other Englishmen, who have devoted themselves to investigating the conception of Brahm, have thought Brahm to be an unmeaning epithet applied to all gods, so that Vishnu says I am Brahm and the sun, the air the seas are called Brahm. Brahm would on this supposition be substance in its simplicity

While on the one hand the Brahmans are subject to these strict limitations and rules on the other hand their life is sacred it cannot answer for crimes of any kind and their property is equally secure from being attacked The severest penalty which the ruler can inflict upon them amounts to nothing more than banishment The English wished to introduce trial by jury into India the jury to consist half of Europeans half of Hindus and submitted to the natives whose wishes on the subject were consulted the powers with which the panel would be intrusted The Hindus were for making a number of exceptions and limitations They said among other things that they could not consent that a Brahman should be condemned to death not to mention other objections *e g* that looking at and examining a corpse was out of the question Although in the case of a warrior the rate of interest may be as high as three per cent in that of a Vaisya four per cent a Brahman is never required to pay more than two per cent The Brahman possesses such a power that heaven s lightning would strike the king who ventured to lay hand on him or his property For the meanest Brahman is so far exalted above the king that he would be polluted by conversing with him and would be dishonored by his daughters choosing a prince in marriage In Manu s code it is said If anyone presume to teach a Brahman his duty the king must order that hot oil be poured into the ears and mouth of such an instructor If one who is only once born loads one who is twice born with reproaches a red hot iron bar ten inches long shall be thru t into his mouth On the other hand a Sudra is condemned to have a red hot iron thrust into him from behind if he rests himself in the chair of a Brahman and to have his foot or his hand hewed off if he pu hes against a Brahman with hand or feet It is even permitted to give fal e testimony and to lie before a court of justice if a Brahman can be thereby freed from condemnation

As the Brahmans enjoy advantages over the other castes the latter in their turn have privileges according to precedence over their inferiors If a Sudra is defiled by contact with a Pariah he has the right to knock him down on the spot Humanity on the part of a higher caste toward an inferior one is entirely forbidden and a Brahman would never think of a sisting a member of another caste even when in danger The other castes d em it a great honour when a Brahman takes their daughters as his wives—a thing however which is permitted him as already stated onl when he has already taken one from his own caste Thence arise the freedom the Brahmans enjoy in getting wives At the great religious festivals they go among the people and choo e those that please them best but they also repudiate them at pleasure

If a Brahman or a member of any other cas e transgresses the above cited laws and precepts he is himself excluded from his caste and in order to be received back again he must have a hook bored through the hips and be swung repeatedly backwards and forwards in the air There are also other forms of restoration. A rajah who thought himself injured by an English governor sent two Brahmans to England to detail his grievances But the Hindus are forbidden to cross the sea and these envoys on their return were declared excommunicated from their caste and in order to be re tored to it they had to be born again from a golden cow The imposition was so far lightened that only those parts of the cow out of which they had to creep were obliged to be golden the re t might consi t of wood These various usages and religious observances to which every caste is subject have occasioned great perplexity to the En lish especially in enlisting soldiers At first these were taken from the Sudra caste which is not bound to observe so many ceremonies but nothing could be done with them they therefore betook themselves to the Kshattriya class These however have an immen e number of regulations to observe they may not eat meat touch a dead body drink out of a pool in which cattle or Europeans have drunk not eat what others have cooked etc Each Hindu assumes one definite occupation and that only so that one mu t have an infinity of servants a lieutenant has *thirty* a major *sixty* Thus every caste has its own duties the lower the caste the less it has to observe and as each individual has his position assigned by birth beyond this fixed arrangement everything is governed by caprice and force In the code of Manu punishments increa e in proportion to the inferiority of castes and there is a distinction in other respects If a man of a higher caste brings an accusation against an inferior without proof the former is not punished if the converse occurs the punishment is very severe Cases of theft are exceptional in this case the higher the ca te the heavier is the penalty

In respect to property the Brahmans have a great advantage for they pay no taxes The prince receives half the income from the lands of others the remainder has to suffice for the cost of culti ation and the upport of the labor

re..ect that in natio s utterly corrupt the e are sides of character which may be called t nder and noble. We ha e Chinese poems in which the tenderest relati ns of lo e are depicted in which delineati ns of deep emot o hum lity modesty p opri ty re t be found d wh ch ma be compared with the best that Eur pean Lt rature c ntains The same characteri..t cs meet us in many Hindu poems but rectitude l consciou ess of m

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poo wand rs pin aw with hunge The Brahmans are espec lly imm ral. Acc ding to English eport they d thi g but eat and leep I hat is ot fo b dden them by the rules of the rde they f ll w n tural mp lses entirely When they t ke any part in public lif they show themsel es n ous deceitful o-l ptuous W th thos wh m th y ha reason to fear they are humble en ugh f which they a enge thems l es th depe dents. I d ot know h t man am g th m says an English th rity Child en ha e no espect f th r pa ent so malt t th m th rs

It w uld l d us too far to gi detail d o-t f Hind *art nd cience* But w ma mak th gen ral emark, that m e curate ac quaint with ts real al has ot littl di minished th wid l brunt d f m of Indi n wi d m Ac ding t th Hi du princ pl f p e self en uncing deality and that ari ty whi h goes t th pposit xt em f sens sn t is e.. de t that thing b t b tract thought and imaginati can be dev loped. Thus e g thei gramma has d an ed t a high degree of co ..i tent egularity but when substantial m tter in cien es and w ks of rt in q est t is seless t look f t h When th English had become masters f the c untry the work f storing t light th re ds f I dian culture was

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of disco ery the H ndu culture was ery highl rated a d as whe new beauties are disco ered, the old ones a e commo ly looked down upon poetry d ph losophy

espec all t

sions of which th fou th is of more recent ori gin They cons t partl of rel gi us pra ers partly of precepts to be bserved. Some m nu scripts of these Vedas ha e come to Europe though in a c mplete form they are ex eedingly rare The writing is o palm lea es scratched in with a needle. The Vedas are ery difficult t un derstand, since they date from the most remote antiquity and the language is a m ch older San krit Col b ooke has indeed tran lated a f hns taken from a com

umes f the former ha been printed t seco d lum is extrem ly rare Bes des these wo ks the Pura as must be particula ly n t ced. The *Puranas* c nta the h t ry of a god or of a temple They e ent rely fancif l Another Hindu cla sical book is the *Cod f Ma u* This H du lawgi er has been c mpa ed with the Cretan Minos name which also occ rs am g the Egyptia and certainly this extensi e oc urren e of the same nam is noteworthy a d cannot be ascribed to chance M u s code of

that pervade th wh le In th respect e ery thing is hand ed to cha c pri d f cy the sult of which is that the most m l tif rm traditi hapes and names appe r in ne endi g process on. The time when Manu s

which by its very nature expands itself into the limitless variety of phenomenal diversities For this abstraction this pure unity is that which lies at the foundation of all—the root of all definite existence In the intellection of this unity all objectivity falls away for the purely abstract is intellection itself in its greatest vacuity To attain th
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fall outside that abstract unity of thought and as that which deviates from it constitute the variety found in the world of sense the variety of intellectual conceptions in an unreflected ensuous form In this way the concrete complex of material things is isolated from spirit and presented in wild distraction except as re absorbed in the pure ideality of Brahm The other deities are therefore things of sense mountains streams beasts the sun the moon the Ganges The next stage is the concentration of this wild variety into substantial distinctions and the comprehension of them as a series of divine persons Vishnu Siva Mahadeva are thus distinguished from Brahma In the embodiment Vishnu are presented those incarnations in which God has appeared as man and which are always historical personages who effected important changes and new epochs The power of procreation is likewise a substantial embodiment and in the excavations grottos and pagodas of the Hindus the lingam is always found as symbolizing the male and the lotus the female *vis procreandi*

With this duality abstract unity on the one side and the abstract isolation of the world of sense on the other side exactly corresponds the double form of *worship* in the relation of the human subjectivity to God The one side of this duality of worship consists in the abstraction of pure self elevation—the abrogation of real elf-consciousness a negativity which is consequently manifested on the one hand in the attainment of torpid unconsciousness—on the other hand in suicide and the extinction of all that is worth calling life by self inflicted tortures The other side of worship consists in a wild tumult of excess when all sense of individuality has vanished from consciousness by immersion in the merely natural with which in dividuality thus makes itself identical—destroying its consciousness of distinction from nature. In all the pagodas therefore prostitu es a d dancing girls are kept whom the Brahman instruct most carefully in dancin in beautiful postures and attractive gestures and who have to comply with the wishes of all comers at a fixed price Theological doctrine relation of religion to morality is here altogether out of the question On the one hand love heaven in short everything spiritual is conceived by the fancy of the Hindu but on the other hand his conceptions have an actual sensuous embodiment and he im
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produced of those presented by nature Every bird every monkey is a

nal predicates assigned to it for this requires reflection While a universal essence is wrongly transmuted into sensuou objectivity the latter is also driven from its definite character into universality—a process whereby it loses its footing and is expanded to indefiniteness

If we proceed to ask how far their religion exhibits the *morality* of the Hindus the answer must be that the former is as distinct from the latter as Brahm from the concrete existence of which he is the essence To *us* religion is the knowledge of that Being who is emphatically *our* Being and therefore the substance of our knowledge and volition the proper office of which latter is to be the mirror of this fundamental substance But that requires this Being to be *in se* a personality pursuing divine aims such as can become the purport of human action Such an idea of a relation of the Being of God as constituting the universal basis or substance of human action—such a morality cannot be found among the Hindus for they have not the spiritual as the import of their consciousness On the one hand their virtue consists in the abstraction from all activity—the condition they call Brahm On the other hand every action with them is a prescribed external usage not free activity the result of inward personality Thus the moral condition of the Hindus (as already observed) shows itself most abandoned. In this all Englishmen agree Our judgment of the morality of the Hindus is apt to be warped by representations of their mildness tenderness beautiful and sentimental fancy But we must

looked fo among the Hindus W may explain t.. deficiency partl fr m that excitement and debil of the nerves which prevent them fr m retaining an bject in their minds and firmly comprehending it for in the r mode of apprehen on ensitive and imaginati e tempera ment changes it into a feverish dream partly from the f ct that eracity is the direct con trary to th ir nat re They eve lie knowingly and designedl where misapprehen on is ut of t ques on. As t Hindu p rit is s a e of dreamin and mental tran ency a self-obli ous dis o ..on, objects also dissol e for into un real images and indefinitud This feature is abso. l charact r t c and this alone would furnish us with a clear idea of the spirit of th Hindus f om which ll that has been said might be ded ced.

Bu hi ory is always f great importance for people sin b means of that t becomes con cious f the path of development taken b its own spirit. whi h expres es self in laws man ers customs and deed. Laws com rising mor ls and j dicial ins utions re by nature the permanent element in peopl s ex ence. Bu h ory presents people with their own image in ond on which thereby becomes objecti e t them. W hou hi t ry their existence in time is b..d self .n ed—the ecurring play f r rary lue m manif ld f rms History fixe and impart on..tency to this f rtuitous curren gi es it th form f uni rsality and, by so d ng pos ts directiv nd restricti e rul fo It is an es tial instrument in devel oping and determining th onstitut on—that i ra onal polit cal di..ion f t is the em pirical method f prod cing the universal, inas much as t ets p a perma ent object f t.. onceptu e powers It is because the Hindu have hist ry in t f rm f annals (*historia*) that they ha e hist ry in th f rm f trans- c ons (g e) tha is growth expand- ing in er bl po tical co dition.

Periods f time are mentioned in th *Hindu* wri ngs d large umbers whi h ha ften an astronom l meanin but whi h ha e still f ener qu rb trary origin. Thus t is re la ed of ertain kings that they had eigned ooo years, or more Brahma th first figure in the osm gon and self-p od ced, is said t ha e li ed ooo ears t Innumera l names f kings cited—among them the incarna tions f V ..nu. It would be ridic.. us to re gard pa sa es f this kind as anything hist rical. In their poems kings are f en talked f these may have been hi t rical personages but they comp etely ..sh in fable e g they retire from the wo ld, and then appear again aft r they have passed ten thousand years in solitude. The numbers in question therefore ha e not the value and rational meaning which we attach to them.

Consequently the oldest and most reliable sources of Indian history are the no ices of Greek authors after Alexander the Great had opened the way to India. Fr m them we learn that their institutions were the same at that early period as they are now Sandra otus (Chandragupta) is marked out as a distin guished rule in the northern part of India to which the Bactrian kingdom extended. The Mohammedan historians supply another source of information fo the M hammedans began their inva ons as earl a the tenth cen ury A Tur ish sla e was the ancesto of the Ghaznian race His son Mahmoud made an inroad into Hindostan and conquered almost the whole country He fixed his royal res dence west of Kabul and at his c urt li ed the poet F rdousi The Ghaz nian d nasty was soon entirely ext rminated b the sweeping atta ks of the Afghans and Moguls. In later times nea ly the whol of I dia has been subjected to the Europea s. What the fore is known of Indian history has f r the most part been communicated through f r eign channels the native literature gives only *indistinct* data. Europeans assure us of the im possibility of wading through the m rasses of Indian statements. M re defin information may be obtained from inscript o.s and docu ments especially fr m the deeds f gifts of land to pagodas and di inities but this kind of ev den e supplies names onl Another sourc of inf rmation is the ast onomical litera ure which is of high antiquity C lebrooke thorough ly studied these writings though r is ery d.f ficult to procure manuscripts ince the Brah mans keep them very los they more over disfigured by th grossest in erpolations It *is found that the* st tements with regard to con llations re ften contradictory and that th Brahmans interpolat these ancient works with events belonging t thei wn time. Th Hindus do indeed possess lists and enum rations of their kings but these al re f th most

onscien m respect t truth. Captain Wilf d had p ocured manuscripts from all quarters with great troubl and expense he assembled a con-

code was composed is also entirely unknown and undetermined The traditions reach beyond twenty three centuries before the birth of Christ a dynasty of the Children of the Sun is mentioned on which followed one of the Children of the Moon This much however is certain that the code in que tion is of high antiquity and an acquaintance with it is of the greatest importance to the English as their knowledge of Hindu law is derived from it

After pointing out the Hindu principle in the distinctions of caste in religion and literature we must also mention the mode and form of their *political* existence—the polity of the Hindu *state* A state is a realization of spirit such that in it the self conscious being of pirit the freedom of the will is realized as law Such an institution then necessarily presupposes the consciousness of free will In the Chinese state the moral will of the emperor is the law but so that subjective inward freedom is thereby repressed and the law of freedom governs individuals only as from without In India the primary aspect of subjectivity—*ii* that of the imagination—presents a union of the natural and spiritual in which nature on the one hand does not present itself as a world embodying reason nor the spiritual on the other hand as consciousness in contrast with nature Here the antithesis in the principle is wanting Freedom both as *abstract* will and as *subjective* freedom is absent The proper basis of the state the principle of freedom is altogether absent there cannot therefore be any state in the true sense of the term This is the first point to be observed if China may be regarded as nothing else but a state Hindu political existence presents us with a people but *no state* Secondly while we found a moral despotism in *China* whatever may be called a relic of political life in *India* is a de potism *without a principle* without any rule of morality and religion for morality and religion (as far as the latter has a reference to human action) have as their indispensable condition and basis the freedom of the will In India therefore the most arbitrary wicked degrading despotism has its full swing China Persia Turkey in fact Asia generally is the scene of despotism and in a bad sense of tyranny but it is regarded as contrary to the due order of things and is disapproved by religion and the moral consciousness of individuals In those countries tyranny rouses men to resentment they detest it and groan under it as a burden To them it is an accident and an irregularity not a necessity it *ought* not to exist But in India it is normal for here there is no sense of personal independence with which a state of de potism could be compared and which would raise revolt in the soul nothing approaching even a resentful protest against it is left except the corporeal smart and the pain of being deprived of absolute necessaries and of pleasure

In the case of such a people therefore that which we call in its double sense *history* is not to be looked for and here the di tinction between China and India is most clearly and strongly manifest The Chinese possess a mo t minute history of their country and it has been already remarked what arrangements are made in China for having everything accurately noted down in their annals The contrary is the ca e in India Though the recent discoveries of the treasures of Indian literature have shown us what a reputation the Hindus have acquired in geometry astronomy and algebra—that they have made great advances in philosophy and that among them grammar has been so far cultivated that no language can be regarded as more fully developed than the Sanskrit—we find the department of *history* altogether neglected or rather non existent For history requires understanding—the power of looking at an object in an independent objective light and comprehending it in its rational connection with other objects Tho e peoples therefore are alone capable of history and of prose generally who have arrived at that period of development (and can make that their starting point) at which individuals comprehend their own existence as independent *i e* possess self consciousness

The Chinese are to be rated at what they have made of themselves looking at them in the entirety of their state While they have thus attained an existence independent of nature they can also regard objects as distinct from themselves as they are actually presented in a definite form and in their real connection The Hindus on the contrary are by birth given over to an unyielding destiny while at the same time their spirit is exalted to ideality so that their mind exhibit the contradictory processes of a di olution of fixed rational and definite conceptions in their ideality and on the other side a degradation of this ideality to a multiformity of sen uous objects This makes them incapable of writing history All that happens is di sipated in their minds into confused dreams What we call historical truth and veracity—intelligent thoughtful comprehension of events and fidelity in representing them—nothing of this ort can be

looked for among the Hindus We may explain

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Co sequently the oldest a d most reliable
sources of Indian history are the notices f
Greek authors after Alexand r the Great had
ope ed the way to India From them we learn
that their institut ons were the same at that
a ly period as they are now Santaracottus
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siderable number of Brahmans and commissioned them to make extracts from these works and to institute inquiries respecting certain remarkable events—about Adam and Eve the Deluge etc The Brahmans to please their employer produced statements of the kind required but there was nothing of the sort in the manuscripts Wilford wrote many treatises on the subject till at last he detected the deception and saw that he had labored in vain The Hindus have it is true a fixed era they reckon

time There were nine pearls at the court of Vicramaditya sav the Brahmans but we can not discover the date of this brilliant epoch From various statements the year 1491 B C has been contended for others adopt the year 50 B C and this is the commonly received opinion

five or even eight or nine kings of that name in India so that on this point also we are thrown back into utter uncertainty

When the Europeans became acquainted with India they found a multitude of petty kingdoms at whose head were Mohammedan and Indian princes There was an order of things very nearly approaching feudal organization and the kingdoms in question were divided into districts having as governors Mohammedans or people of the warrior caste of Hindus The business of these governors consisted in collecting taxes and carrying on wars and they thus formed a kind of aristocracy the prince s council of state But only as far as their princes are feared and excite fear have they any power and no obedience is rendered to them but by force As long as the prince does not want money he has troops and neighboring princes if they are inferior to him in force are often obliged to pay taxes but which are yielded only on compulsion The whole state of things therefore is not that of repose but of continual struggle while moreover nothing is developed or furthered It is the struggle of an energetic will on the part of this or that prince against a feebler one the history of reigning dynasties but not of peoples a series of perpetually varying intrigues and revolts—not indeed of subjects against their rulers but of a prince s son for instance against his father of brothers uncles and nephews in contest with each other and of functionaries against their master It might be believed that though the Europeans found such a state of things this was the result of the dissolution of earlier superior organizations It might for instance be supposed that the period of the Mogul supremacy was one of prosperity and splendour and of a political condition in which India was not distracted religiously and politically by foreign conquerors But the historical traces and lineaments that accidentally present themselves in poetical descriptions and legends bearing upon the period in question always point to the same divided condition—the result of war and of the instability of political relations while contrary representations may be easily recognized as a dream a mere fancy This state of things is the natural result of that conception of Hindu life which has been exhibited and the conditions which it necessitates The wars of the sects of the Brahmans and Buddhists of the devotees of Vishnu and of Siva also contributed their quota to this confusion There is indeed a common character pervading the whole of India but its several states present at the same time the greatest variety so that in one Indian state we meet with the greatest effeminacy—in another on the contrary we find prodigious vigour and savage barbarity

If then in conclusion we once more take a general view of the comparative condition of India and China we shall see that China was characterized by a thoroughly unimaginative understanding a prosaic life amid firm and definite reality while in the Indian world there is so to speak no object that can be regarded as real and firmly defined none that was not at its first apprehension perverted by the imagination to the very opposite of what it presents to an intelligent consciousness In China it is the moral which constitutes the substance of the laws and which is embodied in external strictly determinate relations while over all hovers the patriarchal providence of the emperor who like a father cares impartially for the interest of his subjects Among the Hindus on the contrary instead of this unity diversity is the fundamental characteristic Religion war handicraft trade yes even the most trivial occupations are parcelled out with rigid separation—constituting as they do the import of the one will which they involve and whose various requirements they exhaust With this is bound up a monstrous irrational imagination which attaches the moral value and character of men to an infinity of outward actions as empty in point of intellect as of feeling sets aside all respect

f t e welfare f man, and even makes a dut of t_e cruelest and severes contravention of it. Those distinctions bein_ rigidly m_intained nothing remai_s f r the o_ uni ersal will of t_e stat but pure caprice a_ain_t whose omnip-otence only the fixed caste-distinctions a_ail fo protection. The Chi_ese in their prosaic ra tion_ity reverence as the highest, only the ab-stract supreme l rd and they exhib t a con temptibly superst ous respect for the fixed a_d defi_e. Amon_ th Hindus t_ e is no such uperst ion _o far as it presents an antithesis t unders_andin rath r th wh l life and ideas are one unbroken uperstition, bec use among t_em all is revery a_d con_equent en lavemen_ A_nihilation—the bandonment of all reason, morali y a_d subjectivity—can onl come to a pos _ive feeli_g and consciou_ ess f itself by extr_vagating in boundles ly wild imagina on in whi h, like a desolate spirit it finds no rest n settled c mposur though i can content it_elf in n oth r way as a man who is quite reduced in body and p rit fi_ds his ex_ ence altogether tup d a_d int lerabl and is driven t th creation f a dream wo ld and delirious bl_ m op um.

Section II (Continued)

INDIA Buddhism

forms comprising at the sam tim th coars-est sen_uality and anticipations of the p f und es thought and on that ery cc unt as far as free and rational reality is concerned, sunk in the most self-abandoned h lples sla ery slavery in which th bstract forms int whi h concret human lif is di ded ha e bec me ereotyped, a_d human ri h_s and culture ha been made bsol tely d_pendent pon these dis-tinctions In ontrast with this in briate dream lif which in th sphere f eality is bound f t in hams we ha e th un onstrained dream lif whi h, on the on hand, i_ rude than the f rm er—as t ha ing dvan ed so far as t mak th_s di_tinction f modes f life—but for th sam reason has n t sunk int th la ery which this en_ai_s It keeps tself m free more in dependently firm in tself i_s w ld of dr is

consequently compressed into impler co cep-tions

The spirit of the phase just indica ed, is i vol ed in the same fundamen al principle a that assigned to *Hindu conceptions* but it i_ more conce trated in itself its religion is m pl r and the accompanying political condition m re calm and settled. This p_a_e compre-hends peoples and countries of the mo t varied com lex n. We regard it as embracing Ceylon Farther India with the Burman Empire Siam, Anam—north of that Tibe and further on the Chinese upland with ts various populat ons of Mong ls and Tartars We _hall not exami_e th special i_d dualities of these peoples but merely characterize their religion which con i tu es the mos interes_i_g de of their exi_t ence. Th religio f these peoples is *B dh sm* which is the most widel extended rel gion

reverenced

he phase of Lamaism. I China— e t e re ligion f Fo earl recei ed a great extension and introduced a monastic life—it occupies the pos tion of an integrant element f the Chinese prin ciple. As the substantial form of sp rit which characterizes Chi_a dev lops tself onl to unity of *secular* national life which degrades in di duals to a position of constant dependence r ligion also remains in a st_te f dependence The element of freedom is wanti_g to t fo its bject is th *principl of nature in general*— he en universal matter But the truth of this alienated f rm f spirit is *ideal* uni y the eleva tion above th limitation of nature and f ex istence at large —the return of consci us e_s

limitation that hampers their onsci usness In thi religion—which ma be generally described

centration f pirit t th in_ ite and must first present tself under theological c ditions It is ontained in the fundamental dogma that thingness is the principle of all things—that all proceeded from and returns t n thingness The vari us f rms found in th world re only

As in Hegel original la od in the firs lec re the trans ion f om India Brahminism to Buddhi m oc cupies the place assigned here nd as t_is pos io f t_e chapter on Buddhism grees be ter th recen in-estigations, is detachment f om t_e place which previously occupied nd mention here wil ppea suf ficientl justified.—Ed

Compare Hegel *Vorlesungen ber die Phil phie der Rel g* d Editio Pt. I. p 334

siderable number of Brahmans and commissioned them to make extracts from these works and to institute inquiries respecting certain remarkable events—about Adam and Eve the Deluge etc The Brahmans to please their employer produced statements of the kind required but there was nothing of the sort in the manuscripts Wilford wrote many treatises on the subject till at last he detected the deception and saw that he had labored in vain The Hindus have it is true a fixed era they reckon from *Vicramaditya* at whose splendid court lived Kalida h
most illustr
time Ther
court of Vicramaditya say the Brahmans but we can not discover the date of this brilliant epoch From various statements the year 1491 B C has been contended for others adopt the year 50 B C and thi is the commonly received opinion Bentley s researches at length placed Vicramaditya in the twelfth century B C But still more recently it has been discovered that there were five or even eight or nine kings of that name in India so that on this point also we are thrown back into utter uncertainty

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raculous powe f r f om th bei g they call God they look only for spiritual a ti ity and the bestowal f sp ritual benefits Buddha has m eover the exp ess names S ou of Souls Sea of Virtue the Great Te che Those h ha e bee m q ainted w h the Tashi Lama dep ct him a most ex llent person f the calmest tempe and most devoted to medita tion. Thus also d th lama worshippers regard him. They see in him man c n tantly occup ed h r lig n, and wh when h directs his at tention to what is human does so only to im part nsolat d en uragement by his blessing and by the ex rcise f m rcy and the best al f f rgi ess These lamas lead thor ally isolated lif and ha a feminine rath than masculin training. Earl t rn from the rms f his parents the lama is generally ll f rm d and beautiful child. He is brought up mid perfect quiet and sol u m kind of priso he is well tered f and remains w h out xe ise childish pla so that is not sur pri g that feminine susceptib tendency pre ails m his haracter The Grand Lamas ha e und r them inferio lamas as pres dents of the great frat rnities In Tibet every f her wh has f ur sons is b nd t dedica e one to a con entual life Th Mongols who are especially devoted t Lamaism, this modification f Bud dhism ha e great respect f all that po sesse life. They h chiefly on egetables and revolt f om killing any animal, even a louse This w hip f th lama has supplanted Shamanism that is the religion f so ery The Shaman priests f th religion, intoxica e themsel es w th strong drinks and dancing and while in this ta e perform their incantations fall ex hausted on th ground, and utter words which pas for racular Since B ddhism and Lamaism ha taken th pla f the Shaman religion, the lif f the Mon ols has been imple prescrip

tive and patriarchal Where they take any part in hi tory we fi d them occas oning impulses that ha e nly been the groundwo k f hi tor ical development. There is theref re little to be sa d about the political admi tration of the lamas A vizier has charge of the secular do minion and reports e erything to the lama the go ernment is s mple and le ent and the ven eration which the Mongols pay to the lama e pres es itself chiefly in the r asking counsel of him in political affairs

Section III

PERSIA

d s—the two great nations of the Far Ea t a eady ns dered—bel g to the strictly As tic namely the Mong lian race and conse quently po sess a quite peculiar character dis crepant f m ours the nat ons f the Near Ea t bel g to the Cauca an i.e the European stock. They re related to the West while the d The

characteris cs pervad g e ery ingl featur of soci ty

W th the P rs Emp re we first enter o continuous hist ry Th P rsians are the first historical peopl P rsia wa the first empire that passed way While China and I di re mained stationary and perpetuate nat ral egetati e ex tence even to th p esent time this land has been subject to th se de elop ments and re lu ons whi h al manif st a hist rical c ditio n. The Chinese and the Indian Empires assert a place in the hist rical series only on th ir own unt d for us But here in P rsia first arises that light which hi es self and illuminates what is a ou d fo Zoroa ter s "light bel ngs t the world of con sciousness—t p rit as a relation t som thing di inct f m tself W see in the Pers an w ld

uals only t excite them to become pow rful for

modifications of procession If an analysis of these various forms were attempted they would lose their quality for in themselves all things are one and the same inseparable essence and this essence is nothingness The connection of this with the metempsychosis can be thus explained all is but a change of form The inherent infinity of spirit infinite concrete self dependence is entirely separate from this universe of phenomena Abstract nothingness is properly that which lies beyond finite existence—what we may call the Supreme Being This real principle of the universe is it is said in eternal repose and in itself unchangeable Its essence consists in the absence of activity and volition For nothingness is abstract unity with itself To obtain happiness therefore man must seek to assimilate himself to this principle by continual victories over himself and for the sake of this do nothing wish nothing desire nothing In this condition of happiness therefore vice or virtue is out of the question for the true blessedness is union with nothingness The more man frees himself from all speciality of existence the nearer does he approach perfection and in the annihilation of all activity in pure passivity he attains complete resemblance to Fo The abstract unity in question is not a mere futurity—a spiritual sphere existing beyond our own it has to do with the present it is truth for man and ought to be realized in him In Ceylon and the Burman Empire—where this Buddhistic faith has its roots—there prevails an idea that man can attain by meditation to exemption from sickness old age and death

But while this is the *negative* form of the elevation of spirit from immersion in the objective to a subjective realization of itself this re

importance in what determinate form spirit is conceived When we speak of spirit as universal we know that for us it exists only in an inward conception but to attain this point of view to appreciate spirit in the pure subjectivity of thought and conception is the result of a longer process of culture At that point in history at which we have now arrived the form of spirit is not advanced beyond immediateness God is conceived in an immediate unreflected form not in the form of thought—objectively But this immediate form is that of humanity The sun the stars do not come up to the idea of spirit but man seems to realize it and he as *Buddha Gautama Fo*—in the form of a departed teacher and in the living form of the Grand Lama—receives divine worship The abstract understanding generally objects to this idea of a god man alleging as a defect that the form here assigned to spirit is an immediate one—that in fact it is none other than man in the concrete Here the character of a whole people is bound up with the theological view just indicated The *Mongols*—a race extending through the whole of central Asia as far as Siberia where they are subject to the Russians—worship the Lama and with this form of worship a simple political condition a patriarchal life is closely united for they are properly a nomad people and only occasionally are commotions excited among them when they seem to be beside themselves and eruptions and inundations of vast hordes are occasioned Of the lamas there are three the best known is the Dalai Lama who has his seat at Lhasa in the kingdom of Tibet A second is the Tashi Lama who under the title of Pan chen rin po che resides at Tashi Lhunpo there is also a third in southern Siberia The first two lamas preside over two distinct sects of which the priests of one wear yellow caps those of the other red The wearers of the yellow caps—at whose head is the Dalai Lama and among whose adherents is the Emperor of China—have introduced celibacy among the priests while the red sect allow their marriage The English have become considerably acquainted with the Tashi Lama and have given us descriptions of him

The general form which the spirit of the Lamaistic development of Buddhism assumes is that of a living human being while in the original Buddhism it is a deceased person The two hold in common the relationship to a man The idea of a man being worshipped as God especially a living man has in it something paradoxical and revolting but the following considerations must be examined before we pronounce judgment respecting it The conception of spirit involves its being regarded as inherently intrinsically universal This condition must be particularly observed and it must be discovered how in the systems adopted by various peoples this universality is kept in view It is not the individuality of the subject that is revered but that which is universal in him and which among the Tibetans Hindus and Asiatics generally is regarded as the essence pervading all things This substantial unity of spirit is realized in the lama who is nothing but the form in which spirit manifests itself and who does not hold this spiritual essence as his peculiar prop-

western declivity lies Pers (Farsistan) high r to the north Kurdi tan—bey nd this Armenia. Thence extend in outhwest rly direct on the river districts of the Tigris and the Euphrates Th elements of the Persian Emp re a e the Zend race—the old P rsees next the Assyrian Median and Babylonian Empire in the region mentio ed but th Persian Empire also includes Asia Minor Egypt and Syria with its line of coast and thus ombin s the upland, the alley plains and the coast region.

Chapter 1 *The Zend People*

The Zend people deri ed the r nam from the language in whi h th *Zend Bo ks* e written the canonical books o which the eligion of the ancient P ees is founded. Of this re ligi of the Parsees r F e w rshippe there

Zerdusht called Z roast by the Greeks wrote *his religious books in the Ze d language* Until early the la t third of th ghteenth entury this languag and all th writings composed in t were entirel unknown t Europeans when t length the elebrated F en hman, Anquetil Duperron di los d to u these ri h treasures. Filled with an enthusia m fo th Oriental w rld, which his po erty did t allow him to gratify he enlisted in F ench c rps that was bo t to sail for India. He thus eached B mbay where he met with the P rsees and entered o the dy f their religious dea W th indescribable difficulty h eded in obtaining th ir reli gious books making his way int their litera ture d thus opening an entirely ew and wide fi ld f esear h, but wh h wing t his impe fect cquaintan e with the language still waits th rough in est gati n.

Wher the Zend peopl mentioned in the re ligious books of Zo oast li ed, is difficult to determin In Media and P rsia the religi f Zo oaster prevailed, and Xenophon relates that Cyrus dopt d t but non f thes countri was the proper hab tat of th Zend peopl Zoroter himself calls t th pure Aryan we find imila name in H od tus f h says that th Medes were forme ly call d Ari—a nam with hi h the des gnation Ira connected. South of the Oxus run m unt in ham in the an cient B ctriana—w th which th levated plains ommen e that we e hab ted by the Medes the Parthians and th Hyrcanians In the district watered by the Oxus at the commencement of its course Bactra pr bably the modern Balkh s said to ha e been itu ted from which Kabul and Kashmir a e *distant only* about eight days journey Here in Bactriana appe rs to ha e been the seat of the Zend people In the time of Cyrus we find the pu e and original faith nd *the ancient political and social relations* uch as they are described in the Zend books no longer perfect. Thus much ppears certain that the Zend language which is connected with the S n krit was the languag of the P rsians Medes and B ctrians The laws and institut ons of the people bear an evident stamp of great implicity Four cla ses are menti ned priests warriors

actments

The chief point that which espe ially con c rns us here is the *doctrine* of Zo oa ter I co trast with the wretched hebetude of sp rit which we find am g the Hindus a pure eth r—an exhalation of pirit—meets us in the Persian c eption In t p rit em ges from that ub tantial unity f nature that substantial desti tuti n f import, in which a eparation has not yet taken pla e—in which sp rit has not yet an independent existen e in trapos tion to its object. This peopl amely attained to the c ci usness that absolute truth must ha th form of uni ersality—of unity Thi uni rsal ternal infinit es en not ecognized at fi st as c ditioned in any way it is unlim t d de tity Thi is p ope ly (and we ha e alread f quently repeated it) ls the characte of Brahm. B t this Uni rsal B ing be ame obj ti and th ir spirit became the consci usness *of this* its essen while o th co trary am ng the H du this bjecti ity is only the *natural* o e of th Brahmans and is ec gnized a pur uni ersalit nly in the destructi f consc usness Am th P rsians this negati assertio has become a positi one and man has a elatio t Uni versal Being f such kind that he emains positi in sustaining it. This On Uni rsal Being *is indeed n t y t rec gnized as the f ee*

themselves—to develop and assert their individuality Light makes no distinctions the sun hines on the righteous and the unrighteous on high and low and confers on all the same benefit and prosperity Light is vitalizing only in so far as it is brought to bear on something distinct from itself operating upon and developing that It holds a position of antithesis to darkness and this antithetical relation opens out to us the principle of activity and life The principle of development begins with the history of Persia This therefore constitutes strictly the beginning of world history for the grand interest of spirit in history is to attain an unlimited immanence of subjectivity—by an absolute antithesis to attain complete harmony

Thus the transition which we have to make is only in the phere of the Idea not in the external historical connection The principle of this transition is that the universal essence which we recognized in Brahm now becomes perceptible to consciousness—becomes an object and acquires a po t ...

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a ... P e nature man becomes free and thus occupies a position face to face as it were with the hi hest being the latter being made objective for him This form of universality we see exhibited in Persia involving a separation of man from the universal essence while at the same time the individual recognizes him self as identical with that essence In the Chinese and Indian principle this distinction was not made We found only a unit of the spiritual and the natural But pirit still involved in nature has to solve the problem of freeing itself from the latter Rights and duties in India are intimately connected with special classes and are therefore only peculiarities attaching to man by the arrangement of nature In China this unity presents itself under the conditions of *paternal* government Man is not free there he possesses no moral element since he is identical with the external command In the Persian principle unity first elevates itself to the distinction from the merely natural we have the negation of that unreflecting relation which allowed no exerci e of mind to intervene between the mandate and its adoption by the will In the Persian principle this unity is manifested as light which in this case is not simply l ght as such the most universal physical element but at the same time al o ...

Specialit ...
is consec ...
and spiri ual ense imports therefore elevation—freedom from the merely natural Man su tains a relation to light to the ab tract good as to something objective which is acknowled ed reverenced and evoked to activity by his will If we look back once more and we cannot do so too frequently on the phases which we have traversed in arriving at this point we perceive in China the totality of a moral whole but excluding subjectivity —this totality divided into members but without independence in its various portions We found only an external arrangement of this political unity In India on the contrary distinctions made them elves prominent but the *principle* of eparation was unspiritual We found incipient ubjectivity but hampered with the condition that the separation in question is insurmountable and tha pirit remains involved in the limitations of nature and is therefore a self contradiction Above this purity of castes is that purity of light which we observe in Persia that abstract good to which all are equally able to approach and in which all equally may be hallowed The unity recognized therefore now first becomes a principle not an external bond of soulless order The fact that everyone has a share in that principle secu ...

an ...

conscious brooding of pirit in fruitful plains—distinct from which is the lofty girdle of mountains with the wandering hordes that occupy them The inhabitants of the heights in their conquest did not change the pirit of the plains but imbibed it themselves But in Persia the t o principles retaining their diversity became united and the mountain peoples with their principle became the predominant element The two chief divisions which we have to mention are the Persian upland itself and the valle plains which are reduced under the dominion of the inhabitants of the upland That elevated territory is bounded on the east by the Sol man mountains which are continued in a northerly direction by the Hindu Ku h and Belur Tag The latter separate the anterior region—Bactriana and Sogdiana occupying the plains of the Oxus—from the Chine e Upland which extends as far as Kashgar That plain of the Oxus it elf lies to the north of the Persian upland which declines on the outh towards the Persian Gulf This is the geographical position of Iran On its

M thra ppears here as the pres di g geniu of man s inward h gher life Later on great impor tan is assign d to Mith a as th mediator be t en Ormazd a d men E en Herodotus m n ti ns the adorat on of Mithra In Rome at a late date it became very pre alent as a ecret rship and we fi d tra es of it even far int the M ddle Ages Bes des tho e noticed there a e other p otecting g ni which rank under the Am haspands the r superiors a d are the go ern rs and pre rve of the wo ld. The counc l of the seven great men wh m the P rsia mon a ch had ab t him was l kewi e st tuted in im t tion of the urt f Orm zd The *f a ash* —a kind f sp rit w ld—are distingu hed from th creatur of the mind e sphe e Th *f a rash* ot sp rits co ding to our idea f r they ex t in every at ral object whether fire w er r earth. The n t ce is c e al with the o gin f things they are all places in high o ds towns etc and a prep red to gi e help to supplica ts Th r bod Ga de mana the dwelling f th bl ssed above the lid vault of hea en As son f Ormazd w find th nam D hemsh d appa ently th same as h hom th G eeks call Achæm es wh se de c dants e call d Pishdad ans— race to hich Cyrus was eport d to bel g E en at a lat period th P rsians se m t ha e had the des gnatio Achæmenian am g the Roma s (H rac *Od* III 44) D h m hid t a d p ted the rth with a golden dagg which means thing mo e than that he introd d agri ultur He is sa d then to ha e tra rs d the us c untries riginat d prings a d rive s d the by f rtili ed rt tract f land and made th valleys teem w th li g bei g et In the *Zend est* the name Gustasp is also fre quently mentio d, wh h ma y t in esti g t rs ha e been h edt nnect th D rius Hystaspes de h wev that ot be en tertain d fo m m t f r thi G tasp doubt les b l gs t th anci nt Zend ce—t period the f ante edent t Cyrus M t on is made in th Ze d bo ks of th Tu anians lso th mad tribe f th rth th ugh noth g hi t rical can be th ded d.

The *ri al b rt nc* f the ligi n of Or mazd import that men h ld co d ct them selves in harmon w th the kingd m f light The gr t general mma dment is th fo e a lready said, sp ritual and corpo eal purity sisting in m y prayers t Ormazd It was m d speci lly obl gat ry upo th P ans to mai tain li ing existences to pla t t ees t dig w lls to fertili e desert in de that life the posi ti e the pure might be furthered and the domi — — d d Ext rnal

th ea br ke in p eces his brid es had cha is laid upon it as the wicked a d pernicious being —Ahriman.

Chapter 2 *The Assyrians Babylonians Medes and Pe sians*

As the Ze d race w s the higher spi tual ele ment of the Pers an Emp e so in Ass r a and B bylon a we ha e the element f external

the less easy to be cleared up as they ha e no ca nical books or i digenous w rks The Gre k hi t ri n Ctesias is sa d to ha e had di e t access to the a h ve f the Pers ki gs y t we ha e only a f w fragm nts rema ning Herod tus gi es us much f rmation the accounts th B ble e ls aluable and ema kable in the highest degree for the Heb ews were immediat ly con cted with the B bylo ia s In rega d to the P rsians spe al mentio must be made of the ep c *Shah ma* by F dous —a hero c poem 60 000 strophes from which G rres ha gi a p ou xtract F d us li ed at the beginn g of the eleventh cent ry A.D at the court of Mahm ud the Great t Ghazni e t of Kabul and Kandaha Th celebrated epic just m t o d has th old heroic tradit ns f Iran (that is f West Pers a prope) for its subject but it has not the value of a hi t rical authority since it ontents a poetical a d its author Moham medan. The co test of Ira and Tura is de scribed in thi h o c poem Iran P rsia p per —the mounta n la d the th of th Oxus Turan den tes the plains of the O u and th e lying b twee t d th nc t Jaxartes A he o R t plays the prin pal part in the poem but ts narrations r eithe ltog ther f bul us o quit dist rt d. Mention is mad f Alexa d and he is call d Ishka der or Sk n der f R um. Roum means the Turkish Emp e (e en n w o e of ts p vinces call d R m lia) but t d tes ls the *R m* and in th poem Alexande emp e has equally the

unity of thought not yet worshipped in spirit and in truth but is still clothed with a form—that of light But light is not a lama a Brahman a mountain a brute this or that particular existence but sensuous universality itself simple manifestation The Persian religion is therefore no idol worship it does not adore individual natural objects but the universal itself Light admits moreover the signification of the spiritual it is the form of the good and true the substantiality of knowl d e and volition as well as of all natural things Light puts man in a position to be able to exercise choice and he can only choose when he has emerged from that which had absorbed him But light directly involves an opposite namely darkness just as evil is the antithesis of good As man could not appreciate good if evil were not and as he can be really good only when he has become acquainted with the contrary so the light does not exist without darkness Among the Persians *Orma d* and *Ahriman* present the antithesis in question Ormazd is the lord of the kingdom of light—of good Ahriman that of darkness—of evil But there is a still higher being from whom both proceeded —a Universal Being not affected by this antithesis called *Zrvana Akarana*—the Unlimited All The All *i e* is something abstract it does not exist for itself and Ormazd and Ahriman have arisen from it This dualism is commonly brought as a reproach against oriental thought and as far as the contradiction is regarded as absolute that is certainly an irreligious understanding which remains satisfied with it But the very nature of spirit demands antithesis the principle of dualism belongs therefore to the idea of spirit which in its concrete form essentially involves distinction Among the Persians purity and impurity have both become subjects of consciousness and spirit in order to comprehend itself must of necessity place the pecial and negative existence in contrast with the universal and positive Only by overcoming this antithesis is spirit twice born—regenerated The deficiency in the Persian principle is only that the unity of the antithesis is not completely recognized for in that indefinite conception of the Uncreated All whence Ormazd and Ahriman proceeded the unity is only the ab olutely *primal* existence and does not reduce the contradictory elements to harmony in itself Ormazd

which Ormazd carries on with Ahriman and in which he will at last conquer Ormazd is the lord of light and he creates all that is beautiful and noble in the world which is a kingdom of the sun He is the excellent the good the positive in all natural and spiritual existence Light is the *body of Orma d* thence the worship of fire becau e Ormazd is pre ent in all light bu he is not the sun or moon itself In these th Persians venerate only the light which is Ormazd Zoroaster asks Ormazd who he is? He answers My name is the ground and centre of all existence highest wisdom and science destroyer of the ills of the world and maintainer of the universe fulness of blessedness pure will etc That which comes from Ormazd i living independent and lasting Language te i fies to his power prayers are his production Darkness is on the contrary the body of Ahriman but a perpetual fire banishes him from the temples The chief end of every man s exi tence is to keep himself pure and to pread this purity around him The precepts that have this in view are very diffuse the moral requirements are however characterized by mildness It is said if a man load you with revilings and insults b subsequently humbles himself call him your friend We read in the *Vendidad* that acrifi e consist chiefly of the flesh of clean animal flowers and fruits milk and perfumes It is aid there As man was created pure and worthy of heaven he becomes pure again throu h th law of the servants of Ormazd which is purity itself if he purifies himself by sanctity of thought word and deed What is 'pure thought That which ascends to the beginning of things. What is pure word ? The word of Ormazd (th word is thus personified and imports the living spirit of the whole revelation of Ormazd) What is pure deed ? The humble adoration of the heavenly hosts created at the beginning of things It is implied in this that man should be virtuous his own will his subjective freed m is presuppo ed Ormazd is not limited to particular forms of existence Sun moon and five other stars which seem to indicate the planet those illuminating and illuminated bodies are the primary symbols of Ormazd the *Amshaspands* his first sons Among the e Mithra is also named but we are at a loss to fix upon the star which this name denotes as we are al o in reference to the others The *Mithra* is placed in the Zend books among the other stars yet in the penal code moral transgressions are called Mithrasins *e g* breach of promise entai ing 300 lashes to which in the ca e of theft 300 years of punishment in hell are to be added.

ther When a vor in B bylon f ll ill, he was ought t some open place that every passerby might have the opportun y of giving him his advice. Marriageable daughters were disposed of by auction, and the high price offered f r belles was allotted as dowry fo her plainer neighbor. Such an arrangement was no deemed incon sistent with the obligation under which every woman la f prostituting herself once in her life in the temple of Mylitta. It is difficu to discover what connection this had with their religious ideas This excepted, according t He odotus's account immorality invaded Babylon only at a later period, when the people became poorer The fact that the fairer portion of the sex furnished dowries f r their less attractive sisters, seems to confirm his testimony so far as it shows a provident care for all while that bringing of the sick into the public places indicates a certain neighbourl feeling.

We must here mention the *Medes* also They were like the Persians mountain-people whose habitations were to h and southwest f the Caspian Sea and stretched as far as Armenia. Among these Medes the Magi are also noticed as one the six tribes that formed the Median people whose chief characteristics were fierce ness barbarism and warlike courage The capital, Ecbatana was built b Deioces n t ea her H is said t h united under his kingly rule the tribes o the Medes after they had made themselves free second time f om Assyrian supremacy and to ha induced them to build and fortify f him pala e befitting his dignity. As t the religion of the Medes the Greeks call all the oriental priests M gi wh h is there fore a perfectl indefinite name But all the data point to the fact that among the M gi we ma look for a comparatively close connection with the Zend religion but that although the Magi preserved and extended it experienced great modification in transmission to the various peoples who adopted Xenophon says that Cyrus was the first that sacrificed t God according to the fashion f the Magi The Medes therefore acted as medium f propagating the Zend re ligion.

The Assyrian Babylonian Empire which held so many peoples in subjection, is said to ha existed for one thousand or fifteen hundred years. The last ruler was Sardanapalus—a great voluptuary according t the descriptions we have f him Arbaces the satrap f Media excited the other satraps against him and in combination with them led the troops which assembled every year at Nineveh to pay the tribute, against Sardanapalus The latter although he had gained many victories was at last compelled to yield before overwhelming force and to shut himself up in Nineveh and when he could not longer offer resistance to burn himself there ... to some chro-

broken up it was divided into an A n Median and a Babylonian Empire to which also belonged the Chaldeans—a mountain people from the north which had united with the B bylonians. These several empires had in their turn various fortunes though here w meet with a confusion in the accounts which has never been cleared up Within this period of their existence begins their connection with the Jews and Egyptians The Jewish people succumbed to superior force the Jews were carried captive to B bylon and from them we ha accurate information respecting the condition of this empire. According to Daniel's statements there existed in Babylon a carefully appointed organization for government business He speaks of Magicians—from whom the expounders of sacred writings the soothsayers astrologers Wise Men and Chaldeans who interpreted dreams ar distinguished. The Prophets generally say much of *the great commerce of Babylon but they also* draw a terrible picture of the prevailing depravity of manners

The real culmination of the Persian Empire is t be looked f in connection with the *Persian* people properly so called, which, embracing in its rule all the Near East came into contact with the Greeks. The Persians are found in extremely close and early connection with the Medes and the transmission f the sovereignty to the Persians makes essential difference for Cyrus was himself a relation of the Median king and the names f Persia and Media m into one. At the head f the Persians and Medes Cyrus made war upon Lydia and its king Croesus Herodotus relates that there had been wars before that time between Lydia and Media but which had been settled by the intervention f the king f Babylon. We recognize here a system of states consisting f Lydia Media, and Babylon. The latter had become predominant and had extended its dominion to the Mediterranean Sea. Lydia stretched eastward as far as the Halys and the border of the western coast of Asia Minor the fair Greek colonies were subject to it a high degree of culture was thus already present in the Lydian Empire. Art and

appellation Roum Confusions of this kind are quite of a piece with the Mohammedan views It is related in the poem that the King of Iran made war on Philip and that this latter was beaten The King then demanded Philip s daughter as a wife but after he had lived a long time with her he sent her away because her breath was disagreeable On returning to her father she gave birth to a son Skander who hastened to Iran to take possession of the throne after the death of his father Add to the above that in the whole of the poem no personage or narrative occurs that can be connected with Cyrus and we have sufficient data for estimating its historical value It has a value for us however so far as Firdousi therein exhibits the spirit of his time and the character and interest of modern Persian views

As regards *Assyria* we must observe that it is a rather indeterminate designation Assyria proper is a part of Mesopotamia to the north of Babylon As chief towns of this empire are mentioned Atur or Assur on the Tigris and of later origin Nineveh said to ha h f d d built by

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whole er p re— Nineveh for example so also Ecbatana in Media which is said to have had seven walls between whose inclosures agriculture was carried on and within whose innermost wall was the palace of the ruler Thus too Nir

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arose in consequence of a twofold necessity on the one hand that of giving up the nomad life d

u t te that this entire valley district was traversed by nomads and that this mode of life gave way before that of the cities Thus Abraham wandered forth with his family from Mesopotamia westwards into mountainous Palestine Even at this day the country round Baghdad is thus infested by roving nomads Nineveh is said to have been built 050 years before Christ for Ctesias reckons the number of troop th accompanied Ninus at 1 700 000 infantry a d a proportionate number of cavalry Bactra was besieged for a very considerable time and i s conquest is ascribed to Semiramis who with a valiant host is said to have ascended the steep acclivity of a mountain The personality of Semiramis wavers between mythological and historical repre entations To her is ascribed the building of the Tower of Babel respecting which we have in the Bible one of the old st of traditions

Babylon lay to th k r

there was considerable navigation Vessels came partly from Armenia partly from the south to Babylon and conveyed thither an immen e amount of material wealth The land round Babylon was intersected by innumerable canal more for purposes of agriculture to irrigate the soil and to obviate inundations than for navigation The magnificent buildings of Semiramis in Babylon itself are celebrated though how much of the city is to be ascribed to the more ancient period is undetermined and uncertain It is said that Babylon formed a square bisected by the Euphrates On one side of the tream was the temple of Bel on the other the great palaces of the monarchs The city is reputed to have had h d d

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towers The thoroughfares in the city which led towards the river were closed every night by brazen doors Ker Porter an Englishman about twelve years ago (his whole tour occupied from 1817 to 1820) traversed the countries where ancient Babylon lay on an elevation he thou ht he could discover remains still existing of the old Tower of Babel and supposed that he had found traces of the numerous roads that wound around the tower and in whose loftiest story the image of Bel was set up There are be ides many hills with remains of ancient structures The bricks correspond with the description in the Biblical record of the building of the tower A vast plain is covered by an innumerable mul i tude of such bricks although for many thousand years the practice of removing them has been continued and the entire town of H lla

nians which appear to show that they were people living peaceably and neighbourly with each

the court f th mo a h the as a ui u a of Persian ca lry which co st t ted the *él te* of the whole army ate at a c mm n table and w biect to a most pe fect disc pline in

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Thra and t last G ee e whe the r ast po r was destin d t be shatt red. A march of this kind look d lmost like a emigr t on the f milies c mpani d them Each people ex hib t d ts natu al feat es and w like accou tr ments d p ed f rth *e mas e* Each had

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panied him) Yet th pe ples we un equally dis pli d di n t gth and bra ery t is asy to und rstand how the mall b t ell train d rmies of th Gr k a imated by th sam sp rit d und mat hles leade h p c uld thst d th e um rable b t dis o d ly h t f th P rsia Th p ov es had t p o d f th uppo t of th P ia a alry hich we e quart d in the e tr f th k g dom B byl h d t c t b t th thi d p t of th upplies in q esti n, d n eque tly ppea s t ha been by f th hest di trict A g ds th b hes of ea h p o- pl was blig d t s pply th ch t f th peculi p od wh h th distri t ffi ded Thus A b g franki ens Syria p rple et

Th ed cati f th prin s—b t especially that f the he t th th e—was c d t d th t em e Till their se e th yea th ns f th king main d mo g the w men, d did t m int th y l p ese ce F m the ev th ye f rwa d th y we instructed in hunt g riding hooting with the bow a d also n speaking the truth There is one state ment to the effect that the prince recei ed in structio in the Magian lore of Zoroaster Four of the noblest Persians conducted the prince s educat on The magnates of the land at large constituted a kind of d et Am ng them Magi were als found They are dep cted as free men nim ted by a noble fid l ty and patriotism Of such cha a ter se m the seven nobles—the coun terpart of the Amshaspands who stand ar u d Ormazd—when after the unmasking of the false

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But the ki g was nly the abstract so gn the enjoyment of the co try remained to the nations themsel es whos bligat s we e c m pri ed in the mainte c of the court a d the sat ps and the c tributi of th cho ce t

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gi p esents to the king and from the amount of these gifts we may infer the wealth f the un exh t d p vinces Th s the d min on of the Pe s ans was by o m ns opp es e e th r in secul r or religio s e p cts The P sians c di g t H r d tus had no id ls—i fact ridi l d th pom rphicr p e tati of the g ds b t th y t l rat deve y eligi n alth ugh th may b f und xp ess ons of wrath g inst id l try G k temples we e destroyed a d th imag f the gods b oken in p ces

Sy ia and S m t W tern Asia

One elem t—the coast territ ry—which also belo g d t the P rs an Emp e is e pecially

poetry were blooming there as cultivated by the Greeks These colonies also were subjected to Persia Wise men such as Bias and still earlier Thales advised them to unite themselves in a firm league or to quit their cities and possessions and to seek out for themselves other habitations (Bias meant Sardinia) But such a union could not be realized among cities which were animated by the bitterest jealousy of each other and who lived in continual quarrel while in the intoxication of affluence they were not capable of forming the heroic resolve to leave their homes for the sake of freedom Only when they were on the very point of being subjugated by the Persians did some cities give up certain for prospective possessions in their aspiration after the highest good—liberty Herodotus says of the war against the Lydians that it made the Persians who were previously poor and barbarous acquainted for the first time with the luxuries of life and civilization After the Lydian conquest Cyrus subjugated Babylon With it he came into possession of Syria and Palestine freed the Jews from captivity and allowed them to rebuild their temple Lastly he led an expedition against the Massagetæ engaged with them in the steppes between the Oxus and the Jaxartes but sustained a defeat and died the death of a warrior and conqueror The death of heroes who have formed an epoch in the history of the world is stamped with the character of their mission Cyrus thus died in his mission which was the union of the Near East into one sovereignty without an ulterior object

Chapter 3 *The Persian Empire and its Constituent Parts*

The Persian Empire is an empire in the *modern* sense—like that which existed in Germany and the great imperial realm under the sway of Napoleon for we find it consisting of a number of states which are indeed dependent but which have retained their own individuality their manners and laws The general enactments binding upon all did not infringe upon their political and social idiosyncrasies but even protected and maintained them so that each of the nations that constitute the whole had its own form of constitution As light illuminates everything imparting to each object a peculiar [illegible] a [illegible] its [illegible] gs [illegible] e [illegible] ty arms [illegible] coexists harmoniously under the impartial dominion of light The Persian Empire comprehends all the three geographical elements which we classified as distinct First the uplands of Persia and Media next the valley plains of the Euphrates and Tigris whose inhabitants are found united in a developed form of civilization with Egypt—the valley plain of the Nile—where agriculture industrial arts and sciences flourished and lastly a third element the nations who encounter the perils of the sea—the Syrians the Phœnicians the inhabitants of the Greek colonies and Greek maritime states in Asia Minor Persia thus united in itself the three natural principles while China and India remained foreign to the sea We find here neither that consolidated totality which China presents nor that Hindu life in which an anarchy of caprice is prevalent everywhere In Persia the government though joining all in a central unity is but a combination of peoples—leaving each of them free Thereby a stop is put to that barbarism and ferocity with which the nations had been wont to carry on their destructive feuds and which the Book of Kings and the Book of Samuel sufficiently attest The lamentations of the Prophets and their imprecations upon the state of things before the conquest show the misery wickedness and disorder that prevailed among them and the happiness which Cyrus diffused over the region of the Near East It was not given to the Asiatics to unite self dependence freedom and substantial vigour of mind with culture *i e* and interest for diverse pursuits and an acquaintance with the conveniences of life Military valour among them is consistent only with barbarity of manners It is not the calm courage of order and when their mind opens to a sympathy with various interests it immediately passes into effeminacy allows its energies to sink and makes men the slaves of an enervated sensuality

Persia

The Persians—a free mountain and nomad people—though ruling over richer more civilized and fertile lands retained on the whole the fundamental characteristics of their ancient mode of life They stood with one foot on their ancestral territory with the other on their foreign conquests In his ancestral land the king was a friend among friends and as if surrounded by equals Outside of it he was the lord to whom all were subject and bound to acknowledge their dependence by the payment of tribute Faithful to the Zend religion the Persians gave themselves to the pursuit of piety and the pure wor

there is manifested a perfect o ..as Persian purity

We find on the other hand something quite different among the *Phœnicians* that bold seafaring people Herodotus tells us that at Tyre Hercules was worshipped. If the divinity in question is not absolutely identical with the Greek demigod, there must be understood by that name one who attributes nearly agree with his This worship is particularly indicative of the character of the people for it is Hercules of whom the Greeks say that he raised himself to Olympus by dint of human courage and daring The idea of the sun perhaps originated that of

made himself ... and who instead of passing his life in idleness

afflicted with untimely mourning when he had made an image of his child (Adonis) early taken away he ... him as a god who was a dead man and ... those that were under him ... crifices (E V nearly) The ... Adonis was very similar to the worship of Osiris the commemoration of his death ... ral festival ... which the women broke ... tions over the ... dead god. In ... lamentation is upp ... in the bosom of insensibility uncomplaining the women ... plunge into ... the men ... in enting penances impos ... upon themselves ... the direst tortures ... them ... eslves up to the ... tality in ... to destroy consciousness ... in empty abstract contemplation He ... contrary human pain becomes an element of worship in pain man realizes his subjectivity it is expected of him—he may here indulge self consciousness and the feeling of actual existence.

Life here regains its value A universality of pain is established for death becomes immanent in the Divine and the deity dies Among the Persians we saw light and darkness struggling with each other but here both principles are united *in one*—the absolute The negative is here too the merely natural but as the death of a *god* it is not a limitation attaching to an individual object but is pure negativity itself And this point is important because the generic conception that has to be formed of deity is spirit which involves its being concrete and having in it the element of negativity The qualities of wisdom and power are also concrete qualities but only as predicates so that God remains abstract substantial unity in which differences themselves vanish and do not become organic elements (*Momente*) of this unity But here the negative itself is a *phase* of deity —the natural—death the worship appropriate to which is grief It is in the celebration of the death of Adonis and of his resurrection that the concrete is made conscious Adonis is a

ents in their decease only pay the debt of nature When a *youth* is snatched away by death the occurrence is regarded as contrary to the proper order of things and while affliction at the death of parents is no *just* affliction in the case of youth death is a paradox And this is the deeper element in the conception that the divinity negativity—antithesis—is manifested and that the worship rendered to him involves both elements—the pain felt for the divinity snatched away and the joy occasioned by his being found again.

Judæa

The next people belonging to the Persian Empire in that wide circle of nationalities which it comprises are the *Jews* ... We find here *too* a canonical book—the *Old Testament* in which the views of this people whose principle is the exact opposite of the one just described are exhibited. While among the Phœnician people the spiritual was still limited by nature in the case of the Jews we find it entirely purified the pure product of thought Self-conception appears in the field of consciousness and the spiritual develops itself in sharp contrast to nature and to union with it It is true that we observed at an earlier stage the pure conception of Brahm but only as the universal being of nature and with this limitation, that Brahm is not himself

represented by Syria It was peculiarly important to the Persian Empire for when continental Persia set out on one of its great expeditions it was accompanied by Phœnician as well as by Greek navies The Phœnician coast is but a very narrow border often only two leagues broad which has the high mountains of Lebanon on the east On the seacoast lay a series of noble and rich cities as Tyre Sidon Byblus Berytus carrying on great trade and commerce which last however was too isolated and confined to that particular country to allow it to affect the whole Persian state Their commerce lay chiefly in the direction of the Mediterranean sea and it reached thence far into the west Through its intercourse with so many nations Syria soon attained a high degree of culture There the most beautiful fabrications in metals and precious stones were prepared and there the most important discoveries *e g* of glass and of purple were made Written language there received its first development for in their intercourse with various nations the need of it was soon felt (So to quote another example Lord Macartney observes that in Canton itself the Chinese had felt and expressed the need of a more pliable written language) The Phœnicians discovered and first navigated the Atlantic Ocean They had settlements in Cyprus and Crete In the remote island of Thasos they worked gold mines In the south and southwest of Spain they opened silver mines In Africa they founded the colonies of Utica and Carthage From Gades they sailed far down the African coast and according to some even circumnavigated Africa From Britain they brought tin and from the Baltic Prussian amber This opens to us an entirely new principle Inactivity ceases as al o mere

bethinks itself of the means of safety Here everything depends on man s activity his courage his intelligence while the objects aimed at are also pursued in the interest of man Human will and activity here occupy the foreground not nature and its bounty Babylonia had its determinate share of territory and human subsistence was there dependent on the course of the sun and the process of nature generally But the sailor relies upon himself amid the fluctuations of the waves and eye and heart must be always open In like manner the principle of industry involves the very opposite of what is received from nature for natural objects are worked up for use and ornament In industry man is an object to himself and treats nature as something subject to him on which he impresses the seal of his activity Intelligence is the valour needed here and ingenuity is better than mere natural courage At this point we see the nations freed from the fear of nature and its slavish bondage

If we compare their *religious* ideas with the above we shall see in *Babylon* in the *Syrian* tribes and in *Phrygia* first a rude vulgar sensual idolatry—a description of which in its principal features is given in the Prophets Nothing indeed more specific than idolatry is mentioned and this is an indefinite term The Chinese the Hindus the Greeks practise idolatry the Catholics too adore the images of saints but in the sphere of thought with which we are at present occupied it is the powers of nature and of production generally that constitute the object of veneration and the worship is luxury and pleasure The Prophets give the most terrible pictures of this though their repulsive character must be partly laid to the account of the hatred of Jews against neighbouring peoples Such representations are particularly ample in the Book of Wisdom Not only was there a worship of natural object but also of the universal power of nature—Astarte Cybele Diana of Ephesus The worship paid was a sensuous intoxication excess and revelry sensuality and cruelty are its two characteristic traits When they keep their holy days they act as if mad [they are mad when they be merry — English Version] says the Book of Wisdom (14 8) With a merely sensuous life this being a form of consciousness which does not attain to general conceptions cruelty is connected because nature itself is the highest so that man has no value or only the most trifling Moreover the genius of such a polytheism involves the destruction of its consciousness on the part of spirit in striving to identify itself with nature and the annihilation of the spiritual generally Thus we see children sacrificed priests of Cybele subjecting themselves to mutilation men making themselves eunuchs women prostituting themselves in the temple As a feature of the court of Babylon it deserves to be remarked that when Daniel was brought up there it was not required of him to take part in the religious observances and moreover that food ceremonially pure was allowed him that he was in requisition especially for interpreting the dreams of the king because he had the spirit of the holy gods The king proposes to elevate himself above sensuous life by dreams as indica

them to desert out of Egypt, and gave them the land of Canaan. The accounts of the patriarchs attract our interest. We see in this history the transition from the patriarchal nomad condition to agriculture. On the whole the Jewish history exhibits grand features of character; but it is disfigured by an exclusive bearing (sanctioned in its religion) towards the genius of other nations (the destruction of the inhabitants of Canaan being even commanded) by want of culture generally, and by the superstition arising from the idea of the high value of their peculiar nationality. Miracles, too, form a disturbing feature in this history—*as history*; for as far as concrete consciousness is not free, concrete perception is also not free; nature is undeified, but not yet understood.

The family became a great nation through the conquest of Canaan; it took a whole country into possession, and erected a temple for the entire people in Jerusalem. But properly speaking no *political* union existed. In case of national danger heroes arose who placed themselves at the head of the armies; though the nation during this period was for the most part in subjection. Later on, kings were chosen, and it was they who first rendered the Jews independent. David even made conquests. Originally the legislation is adapted to a family only; yet in the books of Moses the wish for a king is anticipated. The priests are to choose him; he is not to be a foreigner—not to have horsemen in large numbers—and he is to have few wives. After a short period of glory the kingdom suffered internal disruption and was divided. As there was only one tribe of Levites and one temple, i.e. in Jerusalem, idolatry was immediately introduced. The one God could not be honoured in different temples, and there could not be two kingdoms attached to one religion. However spiritual may be the conception of God as objective, the subjective side—the honour rendered to him, is still very limited and unspiritual in character. The two kingdoms, equally infelicitous in foreign and domestic warfare, were at last subjected to the Assyrians and Babylonians; through Cyrus the Israelites obtained permission to return home, and live according to their own laws.

Egypt

The Persian Empire is one that has passed away, and we have nothing but melancholy relics of its glory. Its fairest and richest towns—such as Babylon, Susa, Persepolis—are razed to the ground; and only a few ruins mark their ancient site. Even in the more modern great cities of Persia, Ispahan and Shiraz, half of them has become a ruin; and they have not, as is the case with ancient Rome, developed a new life, but have lost their place almost entirely in the remembrance of the surrounding nations. Besides the other lands already enumerated as belonging to the Persian Empire, *Egypt* claims notice, characteristically the land of ruins; a land which from hoar antiquity has been regarded with wonder, and which in recent times also has

... ther. The one is the immersion in the sensuous—among the Babylonians and Syrians; the other is the spiritual phase, which is twofold; first as the incipient consciousness of the concrete spirit in the worship of Adonis, and then as pure and abstract thought among the Jews. In the former the concrete is deficient in unity; in the latter the concrete is altogether wanting. The next problem is then, to harmonize these contradictory elements; and this problem presents itself in Egypt. Of the representations which Egyptian antiquity presents us with, one figure must be especially noticed, viz. *the Sphinx*—in itself a riddle—an ambiguous form, half brute, half human. The Sphinx may be regarded as a symbol of the Egyptian spirit. The human head looking out from the brute body, exhibits spirit as it begins to emerge from the merely natural—to tear itself loose therefrom and already to look more freely around it; without, however, entirely freeing itself from the fetters nature had imposed. The innumerable edifices of the Egyptians are half below the ground, and half rise above it into the air. The whole land is divided into a kingdom of life and a kingdom of death. The colossal statue of *Memnon* resounds at the first glance of the young morning sun; though it is not yet the free light of spirit with which it vibrates. Written language is still a hieroglyphic; and its basis is only the sensuous image, not the letter itself.

Thus the memorials of Egypt themselves give us a multitude of forms and images that express its character; we recognize a spirit in them which feels itself compressed; which utters itself but only in a sensuous mode.

Egypt was always the land of marvels, and

an object of consciousness Among the Persians we saw this abstract being become an object for consciousness but it was that of sensuous intuition—as light But the idea of light has at this stage advanced to that of Jehovah —the *purely One* This forms the point of separation between the East and the West spirit descends into the depths of its own being and recognizes the abstract fundamental principle as the spiritual Nature which in the East is the primary and fundamental existence is now depressed to the condition of a mere creature and spirit now occupies the first place God is known as the creator of all men as he is of all nature and as absolute causality generally But this great principle as further conditioned is *exclusive* unity This religion must necessarily possess the element of exclusiveness which consists essentially in this—that only the one people which adopts it recognizes the one God and is acknowledged by Him The God of the Jewish people is the God only of Abraham and of his seed national individuality and a special local worship are involved in such a conception of deity Before him all other gods are false moreover the distinction between true and false is quite abstract for as regards the false gods not a ray of the divine is supposed to shine into them But every form of spiritual force and *a fortiori* every religion is of such a nature that whatever be its peculiar character an affirmative element is necessarily contained in it However erroneous a religion may be it possesses truth although in a mutilated phase In every religion there is a divine presence a divine relation and a philosophy of history has to seek out the spiritual element even in the most imperfect forms But it does not follow that because it is a religion it is therefore *good* We must not fall into the lax conception that the content is of no importance but only the form This latitudinarian tolerance the Jewish religion does not admit being absolutely exclusive

The spiritual speaks itself here absolutely free of the sensuous and nature is reduced to something merely external and undivine This is the true and proper estimate of nature at this stage for only at a more advanced phase can [illegible] on in this its alien [illegible]

honoured now first attains its [illegible] Nature is nature resumes its proper position Nature is conceived as having the ground of its existence in another—as something posited created and this idea that God is the lord and creator of nature leads men to regard God as the exalted [illegible]

Hindu religion presents is only that of indefinitude In virtue of the prevailing spirituality the sensuous and immoral are no longer privileged, but disparaged as ungodliness Only the One—Spirit—the nonsensuous is the truth Thought exists free for itself and true morality and righteousness can now make their appearance for God is honoured by righteousness and right doing is walking in the way of the Lord With this is conjoined happiness life and temporal prosperity as its reward for it is said that thou mayest live long in the land Here too also we have the possibility of a *historical* view for the understanding has become prosaic putting the limited and circumscribed in its proper place and comprehending it as the form proper to finite existence Men are regarded as individuals not as incarnations of God sun as sun, mountains as mountains—not as possessing spirit and will

We observe among this people a severe religious ceremonial expressing a relation to pure thought The individual as concrete does not become free because the absolute itself is not comprehended as *concrete* spirit since spirit still appears posited as non spiritual—destitute of its proper characteristics It is true that subjective feeling is manifest—the pure heart repentance devotion but the particular concrete individuality has not become objective to itself in the absolute It therefore remains closely bound to the observance of ceremonies and of the law the basis of which latter is pure freedom in its abstract form The Jews possess that which makes them what they are through the *One* consequently the individual has no freedom for itself Spinoza regards the code of Moses as having been given by God to the Jews for a punishment—a rod of correction The individual never comes to the consciousness of independence on that account we do not find among the Jews any belief in the immortality of the soul for individuality does not exist in and for itself But though in Judaism the [illegible]

substantial existence But the state is a [illegible] tion not consonant with the Judaistic principle and it is alien to the legislation of Moses In the idea of the Jews Jehovah is the God of Abraham of Isaac and Jacob who commanded

tending e en to Colch s and illu trates h s stateme t by the great s m lar ty between the manners of the C lch a s and th e of the Egyp tians these two nat ns and the Eth op ans were the o ly ones that had always pract ed circum i n Herodotus says moreo er th t Seso tris had vast ca als dug through the whole of Egypt which served to c n ey the w ter of the N le to e ery part It may be g nerally re ma ked that the more pro dent the go ern me t in Egypt w s so much the mo e egard did it pay to th mai te a ce of the ca als il unde negl ge t go ernments the dese t got the upper hand f r Egypt wa engaged in a co tant struggle with the fierceness f the he t and th the water f the N le. It appears from Herodotus that the country had become im passable f ca alry in conseq ence f the — rars ne s e f om the

send f hors fr m Egypt

Next to Se tri the K n Cheops and Ch phren des rve spec al ment n They a e said to

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into the marsh s—t the m uth f th Nile only after the d pa t f th Eth p ans d d h mak his pp rance ga He was succeed ed by S tho wh had bee p t of Phtha (suppo. d t be the me H phæstus) un d h gov mm t S nn ch b K g f the As ria ad d the untry S tho h d al way t ted th w r caste w th great d respect d ev bbed th m of th land d he he k d th t ce they re fused t He bl g d th refor to i a general mm t the Egypti s a d a sem bled h t mpo d f h k t rs art san and ma ket peopl l th B bl w re t ld th t the enem es d d a d th t t w the a g l who rout d th m b t He dot l t that f ld m e me the ght d knawed th q ers and b f th m that the latte d p ed f th po re compell d t fle Aft the d th f Setho the Egypt a (H rod t t ll u) g d d them l es a f e d h se th m l es t l k gs wh f rm d a fed l un n— ymbol of wh ch th y bu lt the Laby th t g f n imme e n mbe of room nd hall abo e a d bel

gr u d In the year 650 B C. one of these kings Psammetichus with the help of the Ionians and C r ns (*to whom he prom ed* land in Lower Egypt) expelled the eleven other k g T ll that time Egypt had rema ned ecluded fro i the rest of the world and at ea it had est b l shed n connectio with other nat ons Psam met chus commenced such a co nection a d — th u n of Egypt From i e ius

was follo u by a can l which was to unite the Nile ith the Red Sea but which was not completed unt l the re gn of Darius Nothus The plan of u ting the Med ter anean Sea w th the Arabi Gulf a d the wide ocean is not so ad antage us as m ght be suppo ed since in the Red Sea which o other accounts is very d ff c lt to navigate — h h

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by h m t the Caria s a d Iona s Ama is placed h m elf at the head of the rebels con que d the k ng a d posses ed h mself of the th one By Herod tus he is depicted as a hu morou monarch who h wever d d not al ays — F m

e n D teu in t i i t tie s e unde sta d ng In the morning he held h s court of jud cat e and l stened to the compl ints of the pe ple but in the fternoon feasted a d surrende ed h m elf to pleasure To his friend. who blamed h m on th ce nt d told l m that he o ght t g e the wh le day to bu ine he m d we If the b v con ta tly on the t et h it become u ele s or breaks As the Egypt ns thought less of him on acco t of his mean descent he had a golden ba in u ed

rodotu elates mo e r that h indulged i excesse as a pri ate m n d ss pated th wh le of his property a d the b t ok h m elf t stealing This co trast of a vulgar soul and a

has remained so to the present day It is from the Greeks especially that we get information respecting it and chiefly from Herodotus This intelligent historiographer himself visited the country of which he wished to give an account and at its chief towns made acquaintance with the Egyptian priests Of all that he saw and heard he gives an accurate record but the deeper symbolism of the Egyptian mythology he has refrained from unfolding This he regards as something sacred and respecting which he cannot so freely speak as of merely external objects Besides him Diodorus Siculus is an authority of great importance and among the Jewish historians Josephus

In their architecture and hieroglyphics th thou ht nd
expr
lang
to th themselves they could not have any because they had not advanced to an understanding of themselves Nor was there any Egyptian history until at last Ptolemy Philadelphus he who had the sacred books of the Jews translated into Greek prompted the high priest Manetho to write an Egyptian history Of this we have only extracts list of kings which however have occasioned the greatest perplexities and contradictory views To become acquainted with Egypt we must for the most part have recourse to the notices of the ancients and the immense monuments that are left us We find a number of granite walls on which hieroglyphics are graved and the ancients have given us explanations of some of them but which are quite insufficient In recent times attention has especially been recalled to them and after many efforts something at least of the hieroglyphic writing has been deciphered The celebrated Englishman Thomas Young first suggested a method of discovery and called attention to the fact that there are small surfaces separated from the other hieroglyphics and in which a Greek translation is perceptible By comparison Young made out three names—Berenice Cleopatra and Ptolemy and this was the first step is deciphering them It was found at a later date that a great part of the hieroglyphics are phonetic that is express sounds Thus the figure of an eye denotes first the eye itself but secondly the first letter of the Egyptian word that means eye (as in Hebrew the figure of a house ב denotes the letter *b* with which the word בית house begins) The celebrated Champollion (the younger) first called attention to the fact that the phonetic hieroglyphs are intermingled with those which mark conceptions and thus classified the hieroglyphs and established settled principles for deciphering them

The *history* of Egypt as we have it is full of the greatest contradictions The mythical is blended with the historical and the statements are as diverse as can be imagined F
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of kings have been confirmed by the recent discoveries Herodotus says that according to the statements of the priests gods had formerly reigned over Egypt and that from the first human king down to the King Sethos 341 generations or 11 340 years had passed away but that the first human ruler was Menes (the resemblance of the name to the Greek Minos and the Hindu Manu is striking) With the exception of the Thebaid its most southern part Egypt was said by them to have formed a lake the delta presents reliable evidence of having been produced by the silt of the Nile As the Dutch have gained their territory from the sea and have found means to sustain themselves upon it so the Egyptians first acquired their country and maintained its fertility by canals and lakes An important feature in the history of Egypt is its descent from Upper to Lower Egypt from the south to the north With this is connected the consideration that Egypt probably received its culture from Ethiopia principally from the island Meroe which according to recent hypotheses was occupied by a sacerdotal people Thebes in Upper Egypt was the most ancient residence of the Egyptian kings Even in Herodotus s time it was in a state of dilapidation The ruins of this city present the most enormous specimens of Egyptian architecture that we are acquainted with Considering their antiquity they are remarkably well preserved which is partly owing to the perpetually cloudless sky The centre of the kingdom was then transferred to Memphis not far from the modern Cairo and lastly to Sais in the delta itself The structures that occur in the locality of this city are of very late date and imperfectly preserved Herodotus tells us that Memphis was referred to so remote a founder as Menes Among the later kings must be especially noticed Sesostris who according to Champollion is Ramses the Great To him in particular are referred a number of monuments and pictures in which are depicted his triumphal processions and the captives taken in battle Herodotus speaks of his conquests in Syria ex

tending even to C l hi and illustrates his stateme t by the gre t imilarity between the manners f th C lchi ns and thos of th Egyptians these tw nations and the Ethiopia s were the o ly ones that had lways pra ti ed circumci n He odotus says mo eo r that esostris had a t canals dug through the whol of Egypt which s rved to c n ey the water of the Nile to e ery part It may be generally re mark d that th mo p dent the g rn me t in Egypt was o m ch the mo e regard did t pay to the maintena e f the canals while under neglig t g ernm ts the desert got the upper hand f Egypt was gaged in a con ta t struggle with the fie ce ess of the heat and with the water f th Nile It appears fr m Her d tus that the country had be ome im pa sable f c alry in conseque f th ew w ee f om the

r e d f h ses f m Egypt.

Next t Sesostris the Kings Cheops nd Ch pren deserve special mentio Th y e said to ha built enormous pyramids and cl ed the

But Any is the u ss of Mycerin s Led int th marshes—to the mouth of the Nile F h on d d

respect and ex bbed them f th la ds and when h in k d th ir as istance they re fused t H w s oblig d th ref e t iss a general umm ns to th Egyptians d assem bled h t mposed f hu kst rs artisans and ma k t peopl In the Bible w re t ld that the enemies fl d and that t w th angels who ro ted them b t He dot s elates that fi ld mice am in th night and knawed th qui ers and bow f th en m that th latte de p ed f thei w pons w e mpell d t flee After the death of Seth the Egypti ns (H od tus tells us) ega d d th msel es s free and chose thems lves tw l kings wh formed f deral uni n—a ymb l f whi h they built the Labyrinth nsisting f an imm nse number of rooms and halls bo e and below

gr und In the yea 6 o B C one of these kings Psammeti hus with th help of the Ionians and Carians (to whom he promised land i Lower Egypt) expelled the eleven oth r ki gs Till that time Egypt had remained ecluded f om the rest of the wo ld and t sea it had estab lished no connectio with othe nat ons Psam met chus comme ced s ch a connect on and the eby led the way to the ruin of Egypt From th point the h story becomes clea er because

reign f Darius Nothus The plan of uni ng the Mediterran an Sea with the Arabia Gulf and the wide ocean i n t so ad antageous as might be suppo ed since in the Red Sea wh ch n ther acc unts is ery difficult t nav gate the pre ails fo about nine months in the year

mis and the latt r by Aprie wh led an a y gainst S don and engaged with the Tyrians by sea against Cyrene lso he ent an army which The

by him to the Carians and Ionians Ama placed himself at th head of the rebels con que ed th king and possessed hims lf of the thro e By Herodotus he is dep cted s hu

of j dicatur and list ed t the complaints of the people b t in the ft rnoon feast d a d surr dered him lf to pleasure T his fri nd who blam d him on th account and told him that he ought t gi e the wh le day to b siness h made nswe If the b w is con tantly th t tch it be mes useless o b eak As the Egyptians tho ght less of him on account of his mea descent h had a golden ba in u d f washing th feet made into th image f a god in h h hon ur among the Egyptians this he meant as a symbol of his own levati n. H rodotu lates m eo er that h indulged in exces es s pri ate man dis pated th whol of his property and then betook hims lf to stealing This contrast of a ulgar oul and a

keen intellect is characteristic in an Egyptian king

Amasis drew down upon him the ill will of King Cambyses Cyrus desired an oculist from the Egyptians for at that time the Egyptian oculists were very famous their skill having been called out by the numerous eye diseases prevalent in Egypt This oculist to revenge himself for having been sent out of the country advised Cambyses to ask for the daught of Amasis would e to him Cambys s would not give his daughter to Cambyses because the latter desired her as an inferior wife (for his lawful spouse must be a Persian) but sent him under the name of his own daughter that of Apries who afterwards discovered her real name to Cambyses The latter was so incensed at the deception that he led an expedition against Egypt conquered that country and united it with the Persian Empire

As to the Egyptian *spirit* it deserves mention here that the Elians in Herodotus s narrative call the Egyptians the wisest of mankind It also surprises us to find among them in the vicinity of African stupidity reflective intelligence a thoroughly rational organization characterizing all institutions and most astonishing works of art The Egyptians were like the Hindus divided into castes and the children always continued the trade and business of their parents On this account also the mechanical and technical in the arts was so much developed here while the hereditary transmission of occupations did not produce the same disadvantageous results in the character of the Egyptians as in India Herodotus mentions the even following castes the priests the warriors the neatherds the swineherds the merchants (or trading population generally) the interpreters —who seem only at a later date to have constituted a separate class—and la tly the seafaring class Agriculturists are not named here probably because agriculture was the occupation of several castes as *e g* the warriors to whom a portion of the land was given Diodorus and Strabo give a different account of these caste divisions Only priests warriors herdsmen agriculturists and artificers are mentioned to which latter perhaps tradesmen also belong Herodotus says of the priests that they in particular received arable land and had it cultivated for rent for the land generally was in the possession of the priests warriors and kings Joseph was a minister of the king according to Holy Scripture and contrived to make him master of all landed property But the several occupations did not remain so stereotyped as among the Hindus for we find the Israelites who were originally herdsmen employed also as manual labourers and there was a king as stated above who formed an army of manual labourers alone The castes are not rig d b ar en state of rebellion The warrior caste at one time discontented on account of their not being released from their abodes in the direction of Nubia and desperate at not being able to make use of their lands betake themselves to Meroe and foreign mercenaries are introduced into the country

Of the *mode of life* among the Egyptians Herodotus supplies a very detailed account giving prominence to everything which appears to him to deviate from Greek manners Thus the Egyptians had physicians specially devoted to particular diseases the women were engaged in outdoor occupations while the men remained at home to weave In one part of Egypt polygamy prevailed in another monogamy the women had but one garment the men two they wash and bathe much and undergo purification every month All this points to a condition of settled peace As to arrangements of police the law required that every Egyptian should present himself at a time appointed before the superintendent under whom he lived and state from what resources he obtained his livelihood If he could not refer to any he was punished with death This law however was of no earlier date than Amasis The greatest care moreover was observed in the division of the arable land, as also in planning canals and dikes under Shabako the Ethiopian king says Herodotus many cities were elevated by dikes

The business of *courts of justice* was administered with very great care They consisted of thirty judges nominated by the district and who chose their own president Pleadin s were conducted in writing and proceeded as far as the rejoinder Diodorus thinks this plan very effectual in obviating the perverting influence of forensic oratory and of the sympathy of the judges The latter pronounced sentence silently and in a hieroglyphical manner Herodotus says that they had a symbol of truth on their breasts and turn d

n judicial business every da Theft we a e told, was fo b dden but the law commanded that thieves hould inform again t them el es If they did so they were n t puni hed, but on th contrary were allowed to keep a f urth part of what they had stolen This perhaps was de med t excite and keep in exercise that cun ning fo which the Egyptians were so celebrated.

The *intell gence* displa ed in their legi latı e economy appears characteri tic of th Egyptians This intelligence which manifests tself in the practical, we al o recognize in the p o ducti ns of art and cie ce The Egyptians are reported t ha e d ded th ea into twel e months and each m th into thirt days At the end f th yea they intercalated fi e additi nal da s and H rod tus says that thei rrangement was bett r than that of th G eeks The in ellgen e of the Egyptian especially strikes *n in the department t mechan.cs* Their ast edinces—u h as o ther at has to exhibit and which ex el all thers in solidit and size— s..ncienth p th rtitic kill to whose cultivation they could largely devote them

cordance with the moral arrangement of things already me t o ed. But in *contemplati g the re ligion* of the Egyptians we are urprised by the strangest and mo t w nderful phenomena and pe cei e that this calm order of things bound fast by legislati e enactme t is not like that of the Chinese but that we have h re to do with a sp nt enti ely di..er nt—one full of stirring and urge t impul es We ha e here the African element in combination with Oriental massi e nes transplanted to the Mediterranean Sea that grand *l cale of the di.play of nati nalities* but in uch a manne that here there is no con nection with fo eign nations—this mode of tim ulating int llect appearing u.erflu us f r we ha e here a p odigious urgent stri in withi the nationality t. lf and wh ch within its own circle hoots out into a objecti e realizat n of itself in the most mon.trous productions It is

has till, it we an iron band around i s

which the citizens did n t troubl th msel es about th stat b t ga their wh l att t o t th ir pri ate business Greeks d Romans must ha e been especially astoni hed at u h a sta of things.

select societ d Plat ket hed la g sc le. B t in h deals ccount is taken f pa.. on. A plan of oci ty that is t be ad pted and cted upo s n be l t ly complet one —in whi h everything has bee n. dered. d especially th educatio and hab tuation t at necessary t ts bec ming sec d nature—is altogether opposed t the natur f spirit, wh h makes on emporary life the bj ct on whi h it ct t lf being th infinit impulse f ct ty t ts f rms. This impul L expressed tself in Egypt in peculia w y It would ppea t first as f a c dit f things so egu la so determinat in every particular c ntained othi..g that had peculiant entir ly it wn. The int od cti f religious lement w uld seem t be ffai f critical m ment, p o vided the highe eces ties f men were ..atisfied w hould in f ct rath expert that it would be introd ed in pe ful way and in c

rest on the d termin t character of th nat l w ld, in which they li e and mor part cula ly n th determ nat physic l circle which the Nile and the un mark out These two are trict ly connected—the pos t n of the sun d that f the Nile d t the Egyptian this is all in all The Nile is that whi h es..entiall determines th boundaries f th country beyo d th N le alley begins the desert on the orth Egypt is sh t in by th sea and n th outh by torrid heat. The first Arab le der that c que ed Egypt writes t the Caliph Oma Egypt is first a t sea f dust then a sea of fresh water lastly t is a gre t ea of fl wers It nev r ra is ther towards th nd f July dew falls and then the N l begins to erfl w it bank. and Egypt resembles sea f islands (Herod tus mpo es Egypt *during* this period, with th islands in the Ægean.) Th N l lea es behind it prodigious multit d f li ing creatures then ppea mo ing and creeping things innum abl oo afte man begins to ow the ground, and the harvest is ers bundant. Thus th exist en e f th Egyptian does not depend on the brightness of the un o th quantity f rain. For h.m on th contrary the e exist only those perfectly impl ditions which f rm th basis of his mode of life and ts occupatio s.

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tself is b ld to be that Ge us and thus abstrac tions are changed int co c ete co cept o s Ammon is rega ded as a gre t di nnity w th wh m s as ociated the d termination of the

p ocreat e po er I s s the arth u moo

ove ature but as partic lar exi tence s oe by side w th the po ers f nature—char cterized also by intrinsic p rticularity A d thus th Egyptians had lso spec fic di mities c n e ed as sp ritual ct ties and f rces b t partly *transi clly* lim ted—partly co templated und r natural symbols

Th Egyptia H rmes i cel brat d as exhib ting th sp ritu l de f th the m Acco d ing to Iambli hus the Egyptian priests immemorially p efi ed to all the in ntio the ame H rmes Erat sthenes therefo called his book wh h t eated f th enti e cien e of Egypt *H mes* An b s is c lled the frie d and compani f Os ris T him ascribed the in ent on of writing and f scien generally —of grammar ast o my m rat mus and m dicin It was h wh first di nd d the day t tw l b rs h was *m* o er the first lawgi e th first instru t rel gi s observan es a d obj t and in gymnast s d orch t es nd t was h wh di e ed the oli But tw thst d g ll these p ritual ttrib tes thi di ty is s m thing qu te oth than the g d f th ught O ly particular human *its and in t ns* e a soc t d w th him N t nly s b t h ent ly fall b k into m ol em t in xist c and degrad d und phy al ymb ls H p esent d with a dog s head as imbrut d g d d be des this mask a part cula t l bj t b d up with th c pt on of thi di in ty f h t th same tim S rius th d g t H th s as limited espect f wh th emb dies as ensu ous in th po t ex ten e ribed t him It may be incident lly m ked th t a deas and nat re e t distingu h d f m each the in

the same wav the arts and appliances of human life are not developed and arra ged so as to form a rational c cle of aims a d means. Thus ... esner r rporeal d s

Astronomy was also es entially a trolog i d

sp ritual as manifested in t e N t e su a d the sowing of seed took the same view of the life of animals T us zoolatry is repulsive We may reconc le ourselves to the adoration of the material hea e but the worsh p of brutes i alien to us for the abstract natural elem nt

by n means o cupy a h gher grade th n tho

the same time d nt d shut up w th n them *el es. W cannot m ke out wh t it is that pos* ses es these cr tu es and an ot rely on them A bla k tom cat w th t glowing eyes and ts w gl ding now quick and darting mo me t has been d emed the presence of a mal gna t be g—a mysterious reserved pe t e the d g the can ry b d the co trary appear friendly d ympathiz g The lower an m l a e the truly omp ehe bl A *m* ca ot by imag at n or conception e ter int the nature of a d g whatev r esembl ce he h m lf m ght ha e to t t remains somethi g altogethe alien to him It s n tw dep tme ts that th o- alled i comp h ble meets us— n l ving t ea d p rit But in ry deed it is o ly in at e th t we h e to e c ter the c mpre h bl for the be g m fest t t elf is th es c sp r t sp t dersta ds d comp e he ds p rit Th obt e self c *ciou e s of*

There is a definite physical cycle which the Nile pursues and which is connected with the course of the sun the latter advances reaches its culmination and then retrogrades So also does the Nile

This basis of the life of the Egyptians determines moreover the particul

reign of Tiberius the Stoic Chæremon who had been in Egypt explains it in a purely

new Plat

garding a

and thus a pure idealism Each of these representations is one sided Natural and piritual powers are regarded as most intimately united—(the free spiritual import however has *not* been developed at this stage of thought)—but in such a way that the extremes of the antithesis were united in the harshest contrast We have spoken of the Nile of the sun and of the vegetation depending upon them This limited view of nature gives the principle of the religion and its subject matter is primarily a history The Nile and the sun constitute the divinities conceived under human forms and the course of nature and the mythological history is the same In the winter solstice the power of the sun has reached its minimum and must be born anew Thus also Osiris appears as born but he is killed by Typhon his broth enemy

earth

Nile wn yearns after him she gathers the scattered bones of Osiris and raises her lamentation for him and all Egypt bewails with her the death of Osiris in a song which Herodotus calls *Maneros* Maneros he reports to have been the only son of the first king of the Egyptians and to have died prematurely this song being also the Linus Song of the Greeks and the only song which the Egyptians have Here again pain is regarded as something divine and the same honour is assigned to it here as among the Phœnicians Hermes then embalms Osiris and his grave is shown in various places Osiris is now judge of the dead and lord of the kingdom of the shades These are the leading ideas Osiris the sun the Nile this triplicity of being is united in one knot The sun is the symbol in which Osiris and the history of that god are recognized and the Nile is likewise such a symbol The concrete Egyptian

hoe etc for Osiris gives not only the useful itself—the fertility of the earth—but moreover the means of making use of it He also gives men laws a civil order and a religious ritual he thus places in men s hands the means of labour and secures its result

s heterogeneous duality the phenomena of nature and the spiritual woven together into *one* knot

The parallelism of the course of human life with the Nile the sun and Osiris is not to be regarded as a mere allegory—as if the principle of birth of increase in strength of the culmination of vigour and fertility of decline and weakness exhibited itself in these different phenomena in an equal or similar way but in this variety imagination conceived only *one subject* one vitality This unity is however quite abstract the heterogeneous element shows itself therein as pressing and urging and in a confusion which sharply contrasts with Greek perspicuity Osiris represents the N

tion None without be a signification each is both the one is explained by the other Thus there arises one pregnant conception composed of many conceptions in which each fundamental nodus retains its individuality so that they are not resolved into a general idea The general idea—the thought itself which forms the bond of analogy—does not present itself to the consciousness purely and freely as such but remains concealed as an internal connection We have a consolidated individuality combining various phenomenal aspects and which on the one hand is fanciful on account of the combination of apparently disparate material but on the other hand internally and essentially connected because these various appearances are a particular prosaic matter of fact

Besides this fundamental conception we observe several special divinities of whom Herodotus reckons three classes Of the first he mentions eight gods of the second twelve of the third an indefinite number who occupy the position towards the unity of Osiris of pecific manifestations In the first class fire and its use appears as Phtha also as Knef who is besides represented as the Good Genius but the Nile

sp t which lies c ncealed beneath the surface

In the ew just gi en we saw the Egyptian spirit wo king it elf fr e from n tural forms This urging powe f l sp rit however was n t able to rest in the s bj ct e co ceptio of that ew of things whi h we ha e now been co s d ering b t was impelled to p esent it t external co ciou ess and outward vis o b means of rt. For the ligion f th Et rnal One—the formless—art is not o ly unsati fying but in its *object* esse tially nd e clu ely oc cup es th th u ht something nful. But p rit occup ed with the c templatio of particular natural forms—b ing at the same time a stri ng and pla tic Sp rit—changes th direct natural v ew *e g* of the N le the sun etc to images in whi h sp rit has a sha e It s as we ha e seen symbol zi g sp rit and as such t endeav rs t mast r th symb lizati ns and to pre ent them learly b fo th m nd The mo e enigmati al and ob cure t s to it elf so m h the m e does t f el the mpul e to labo to de h e tself f m t imprisonment and to gain a clear obj ct ew f tself

It is the d tingui hing feature f th Egyptian spirit that t tands bef re s as this mighty

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are f tw kinds hi glyphs *p op* des gned rath t exp ess language d ha ng f ence to ubj ti c pt and cla s of hieroglyphs f diff re t k d, those enorm m es f hit tu d sculpt with which Egypt is c d. Whi amo g th nat s hist ry nsist f nes f e ents— *e g* that f th R m s wh enturi fte century h ed nly with w t qu t a d acc m pli h d the ubjug t f th w ld—the Egyptians ed an emp qu lly m ghty—of a h evement in w ks f rt wh ruin p o th ir indestruct bil ty d whi h gr ate and m w rthy f t hment than all ther w rk f cient mod rn t m

Of thes ks I will m t o thers than those dev t d t th d d, and wh h especi lly attra t our tt t n. Thes th en rmous ca at on in the hills lo g the N i t Thebes whose passa es d hambers t ely fill d with mummies—subt ra e bodes s l rg the largest mining w k of t m ext th great field of the dead i the plain of Sa s w th its walls a d aults thirdly those wonders of the world the Pyramids who e destination th ugh stated lo g ago by He odotus and Dio do us has been o ly recently expressly con firmed—to the effect t that these prodigious crystals with thei geometrical regularity co tain dead bodies and lastly that most aston i hing wo k the tombs of the kings of wh ch one has been opened by Belzo i in modern t mes

It s of essential mome t to observe what im portance this realm of the dead had for the Egyptia we may thence gather what idea he had of man For i the dead, man concei es of man as stripped of all ad entitious wrappages—s reduced to h s essential nature But that which a people regard as man in his essential cha

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F— w h first to express the

the in is ble—s h as Hades was c ncei ed by th Greeks Th p esents it lf to men first as the emp re of death to the Egyptians as the *ealm of the dead*

The idea that p t is immortal in ol es thi —that the human indi idual inh rently pos sesses finite al Th merely N tural ap pears limited, absol tely depende t upon some th g other than t elf and has ts existenc in that oth r but immortal ty invol es the inher ent i fin t de f sp rit Th s idea is first found m g the Egyptians B t t must be add d that the soul w kn wn to the Egyptians p evio ly only s a atom th t is s omething c c ete and part c la F r with th t view is immediate ly co cted th ti n f metempsych th dea th t the l of man may lso become the t nant of the body of a brute Ari t tle too speaks of this idea a d despatches it in f w w ds E ery s bj ct he says has its part cular gans for ts p uli r mode of action s the smith th carpe te ea h fo his own craft. In like mann the human soul has ts pec liar ga a d the b dy f a brute cannot be its d m le Pythag ra dopted the d ctrin of m t mpsych sis b t it ould not find much

the Egyptians therefore to which the thought of human freedom is not yet revealed worships the soul as still shut up within and dulled by the physical organization and sympathizes with brute life We find a veneration of mere vitality among other nations also sometimes expres ly as among the Hindus and all the Mongolians sometimes in mere traces as among the Jews Thou shalt not eat the blood of animals for in it is the life of the animal The Greeks and Romans also regarded birds as specially intelligent believing that what in the hum n spirit was not revealed the incomprehensible and higher was to be found in them But among the Egyptians this worship of beasts was carried to excess under the forms of a most stupid and non human superstition The worship of brutes was among them a matter of particular and detailed arrangement each district had a brute deity of its own—a cat an ibis a crocodile etc Great establishments were provided for them beautiful *mates* were assigned them and like human beings they were embalmed after death The bulls were buried but

upon as such In one of those that have been opened there was found in the most central apartment a beautiful alabaster coffin and on closer examination it was found that the bones inclosed were those of the ox This reverence for brutes was often carried to the most absurd excess of severity If a man killed one designedly he was punished with death but even the undes gned killing of some animal might entail death It is related that once when a Roman in Alexandria killed a cat an insurrection ensued in which the Egyptians murdered the aggressor They would let human beings perish by famine rather than allow the sacred animals to be killed or the provision made for them trenched upon Still more than mere vitality the universal *vis vitæ* of productive nature was venerated in a phallus worship which the Greeks also adopted into the rites paid by them to Dionysus With this worship the greatest excesses were connected

The brute form is on the other hand turned into a symbol it is al o partly degraded to a mere hieroglyphical sign I refer here to the innumerable figures on the Egyptian monuments of sparrow hawks or falcons dung beetles scarabæi etc It is not known what ideas such figures symbolized and we can scarcely think that a satisfactory view of this very obscure subject is attainable The dung beetle is said to be the symbol of generation of the sun and its cour e the Ibis that of the Nile s overflowing birds of the hawk tribe of prophecy of the year of pity The strangeness of these combinations resul s from the circumstance that we have not as in our idea of poetical invention a general conception embodied in an image but conversely we begin with a concept in the phere of ense and imagination conducts us into the same phere again But we observe the conception liberating itself from the direct animal form and the continued contemplation of it and that which was only surmised and aimed at in that form advancing to comprehensibility and conceivable

—or as male sphinxes (ἀνδρόσφιγγες) with beards—are evidence supporting the view that the meaning of the spiritual is the problem which the Egyptians proposed to themselves as the enigma generally is not the utterance of something unknown but is the challenge to discover it—implying a wish to be revealed But conversely the human form is also disf gured by a brute face with the view of giving it a pecific and definite expression The refined art of Greece is able to attain a specific expression throu h the spiritual character given to an image in the form of beauty and does not need to deform the human face in order to be understood The Egyptians appended an explanation to the human forms even of the gods by means of heads and masks of brutes Anubis *e g* has a dog s head Isis a lion s head with bull s horns etc The priests also in performing their functions are masked as falcons jackals bulls etc in the ame way the surgeon who has taken out the bowels of the dead (represented as fleein for he has laid sacrilegious hands on an object once hallowed by life) so also the embalmers and the scribes The sparrow hawk with a human head and outspread wings denotes the soul flying through material pace in order to animate a new body The Egyptian imagination also created new forms—combinations of different animals serpents with bulls and rams heads bodies of lions with rams heads etc

We thus see Egypt intellectually confined by a narrow involved close view of nature but breaking throu h this impelling it to elf contradiction and proposing to itself the problem which that contradiction implies The principle does not remain satisfied with its primary conditions but points to that other meaning and

represented as ha ing himself become O ris a d in deciphering the hieroglyphs the idea has been suggested that the kings a e called gods The human a d the di ine are thus exhibited as mi ed.

If in con lus on we combin what has been s d her of the peculiarities f the Egyptian spirit in all it spects ts perv ding prin iple lements of reality

of nature and spirit—not the primary immedi e unity n the o crete unity wh re nature is po ted only as basis f r the manifestation of s t in ontrast with the first and cond f these unities the Egyptian unity mbining contradictory elements occup es a middl place The tw des f thi unity are held in bstract independen e f each h r and th r er tabl tion presented onl as a problem. We ha therefore on the on de prodigious co fu n a d limitation t the particular barba us en sual y with African hardnes zoolatry d sensual enjoyment. It is t ted that, in a public market-place sodomy w s ommitted b a wom n with a goat. Juvenal relates that hu man flesh was ea en and human blood drunk out f evenge The other de is the strugg f spirit fo liberati fancy displayed in th forms created bv rt together with th b tract understanding wn in the mecha cal labors connected with thei p oducti n. The am in t ger e—th pow f It ring th form of in d dual ex tences and that teadf t th ught f nes whi h can rise abov mere phenomena —shows i lf in th ir polic nd th mechan sm f the tat in agricult ral econom t d t ontra t t this is th everity with whi h tei customs bind them and th superstition t w h humanity am g them is in rably subject. W th a clea understanding of th p es ent is onnected the highest degree f impul si ene s daring and turbulen These features ombined in th t ries whi h Herod tus re lates t f th Egyptians They much esem ble th tales f th Thous nd end One N ght a d alth ugh these ha B ghdad as th locality of thei narrati thei ori in is m limited t this luxuriou ourt than t the Arabian peopl but must be partly tra ed t Egypt—as Von Hammer lso thinks Th Arabian wo ld qui h than t fan ful and en hant d e gion there described t h s much m imp pa ons d i erest Love martial dari g th hors the w d th da ling bjects f th poetry peculiar to the Arabians.

Transit on to the G eek W orld

Th Egyptian sp rit has shown t elf to us as in all respects sh t up w thin the limits of par ticula concepti ns nd, as it wer imbruted in them but likewise stirring it elf within these limits pa ing restles ly from one particular f rm into anothe This spirit never ri es to the uni ersal and higher for it seems t be bl nd t tha no does it ever withdraw nto itself yet it symbolizes freely and boldly with particular e i ten nd has already ma tered it. All that is ow required is to posit that particular existence —which contains the germ of ideal ty—as id al nd to comp hend uni ersality t elf which is lready potentially liberated from the particu lars in ol ing it. It is the f ee joyful p rit f

children. We may say on the c ntrary that th Egyptians a e gor us boys eager for elf comprehensio who require nothing but lear un dersta ding of them el es in an de l form in or

in ol ed in infinite emb rra sment t remain c tented with th t The ru ged Africa nature disintegrat d that prim t unit and light d upo th p oblem whose solut on is free p rit.

That the spirit f th Egyptians prese ted it s lf t th on ci us ess in the form of

Th in cription indicates the princ le of the

lear to it elf is ther fo e th esult f and the solution f th p blem in que ti n. This l dity p rit—th so f Ne th the o ceal d n ght loving di inity In the Egypti n Neith truth is till p blem. The Greek Apollo is ts solut h tterance is Man know thy lf In thi dictum is n t intended a self ecogni tha egards the specialities f o wn weakn and d f cts t is t the indi dual that is d moni hed to be om quainted with his idiosyn crasy but humanity in general umm ed t self-knowledge This mandate w s gi en fo

support among the Greeks who held rather to the concrete The Hindus have also an indistinct conception of this doctrine inasmuch as with them the final attainment is absorption in the universal substance But with the Egyptians the soul—the spirit—is at anv rat n ff —
being althc
The period
was fixed at
however that a soul which had remained faithful to O iris was not subject to such a degradation—for such they deem it

It is well known that the Egyptians embalmed their dead and thus imparted such a degree of permanence that they have been preserved even to the present day and may continue as they are for many centuries to come This indeed seems inconsistent with their idea of immortality for if the soul has an independent existence the permanence of the body seems a matter of indifference But on the other hand it may be said that if the soul is recognized as a permanent existence honour should be shown to the body as its former abode The Parsees lay the bodies of the dead in exposed places to be devoured by birds but among them the soul is regarded as passing forth into universal existence Where the soul is supposed to enjoy continued existence the body must also be considered to have some kind of connect n w h h
ance Among
mortality of
spirit is in and for itself eternal its destiny is eternal blessedness The Egyptians made their dead into mummies and did not occupy themselves further with them no honour was paid them beyond this Herodotus relates of the Egyptians that when any person died the women went about loudly lamenting but the idea of immortality is not regarded in the light of a consolation among us

From what was said above respecting the works for the dead it is evident that the Egyptians and especially their kings made it the business of their life to build their sepulchre and to give their bodies a permanent abode It is remarkable that what had been needed for the business of life was buried with the dead Thus the craftsman had his tools designs on the coffin show the occupation to which the deceased had devoted himself so that we are able to become acquainted with him in all the *minutiæ* of his condition and employment Many mummies have been found with a roll of papyrus under their arm and this was formerly regarded as a remarkable treasure But these rolls contain only various representations of the pursuits of life together h
They ha
has been
chase relating to pieces of ground and the like in which everything is most minutely recorded, even the duties that had to be paid to the royal chancery on the occasion What therefore a person bought during his life is made to accompany him in the shape of a legal document in death In this monumental way we are made acquainted with the private life of the Egyptians a w th h af n —
th

pa
tat sophagi is this judicial process in the realm of the dead O iris with Isis behind him appears holding a balance while before him stands the soul of the deceased. But judgment was passed on the dead by the living themselves and that not merely in the case of private persons but even of kings The tomb of a certain king has been discovered—very large and elaborate in its architecture—in whose hieroglyphs the name of the principal person is obliterated while in the bas reliefs and pictorial designs the chief figure is erased This has been explained to import that the honour of being thus immortalized was refused this king by the sentence of the court of the dead

If death thus haunted the minds of the Egyptians during life it might be supposed that their disposition was melancholy But the thought of death by no means occasioned depression At banquets they had representations of the dead (as Herodotus relates) with the admonition Eat and drink—such a one wilt thou become when thou art dead Death was thus to them rather a call to enjoy life O iris himself dies and goes down into the realm of death according to the above mentioned Egyptian myth In many places in Egypt the sacred grave of O iris was exhibited But he was also represented as president of the kingdom of the invisible sphere and as judge of the dead in it later on Serapis exercised this function in his place Of Anubis Hermes the myth says that he embalmed the body of Osiris this Anubis sustained also the office of leader of the souls of the dead and in the pictorial representations he stands with a writing tablet in his hand by the side of Osiris The reception of the dead into the kingdom of Osiris had also a profounder import te that the individual was united with Osiris On the lids of the sarcophagi therefore the defunct is

SECOND PART

THE GREEK WORLD

Am ng the G e ks w f el oursel e immedi ately at h me f r we a in the egio of pirit and th gh th origin of the n t on a al o its philologi al pec liarit es m y be tr ced farthe —even to I di —th prope eme gence the true m h look d fo n Greece

w ds an ult aim—p ese ting thus a i herently i mpl te d mmature form d be g then most defe t e when it wo ld deem itself pe fect—but th t ens that y th

ld s in arn te p t d p tu lized ense —in u ty wh h ow d it rigi to p nt G ee e p esent t us the ch ful aspe t f yo thf l f esh e s f sp t l vitality It i he first that d an g sp rit m k itself the co t t f t lit d t knowl dge b t i s h a w y th t tat f m ly law l g n e t th same t m obj ts m d at by indi duality hil th latt di dual ty ly m irtu of th ms Th ma the oth r ha d dc ot his life to l bo fo n bje t e a m wh h b p rs es c si te tly ev t th t f h d d lity

The h gh t f rm that fl ated befo G ek imaginat w A hilles the so f th poet the H m y uth f th T jan W H m the leme t in whi h th G e k w ld l s ma d s th The G eek l f truly y thful hi m t A hill th deal y th f p t y mme ced t Al xande the G eat th d l y th f al ty on l d d t. B th ppe t t w th A ia Achilles a the pri pal figu the national xpediti f th G eks ga t T oy d es t t nd at its head b t is bj t t th h ef f hiefs b ca t be m d th lead w thout bec mi g

fantastic unte able conc ption. On the co trary h e d youth Alexander the freest and

We have then to d sti guish th ee pe us in G eek h tory the first that of the growth of real individual ty th second that of its in depend ce a d prosperity in external co quest (thro gh co tact with th p ev ous world h sto cal pe ple) a d the thi d the period of ts decli e nd fall in its encounter with the s ce ding o gan of w ld history The period f om ts rigin to t int rn l completeness (that

element int its primary dit on and it has a d ble cultu e ne original th ther of foreign s ggest n The u ting of these two element

But whil th n ti n di ts its e e gies o t w ds t b mes unfa thful to ts princ ples t hom a d i t rnal dissens follows upo th ceasing of the exte nal exciteme t. In rt and c ce too this hows itself i the ep atio of th deal f m the re l H e s the po nt of decline The th d p od is th t of rui th gh co ta t w th the nat th t mbodies a higher sp it The same p es t may be stated ce f all w ll meet us in th life of e ery wo ld hist rical people

Section I

THE ELEMENTS OF THE GREEK SPIRIT

G eec th s bsta t l wh ch is at the s me time nd id al The un ersal as h is ove

the Greeks and in the Greek spirit humanity exhibits itself in its clear and developed condition Wonderfully then must the Greek legend surprise us which relates that the Sphinx—the great Egyptian symbol—appeared in Thebes uttering the words What is that which in the morning goes on four legs at midday on two and in the evening on three? Œdipus givin the solution *man* precipitated the Sphinx from the rock The solution and liberation of that Oriental spirit which in Egypt had advanced so far as to propose the problem is certainly this that the inner bein of nature is thought which has its existence only in the human consciousness But that time honoured antique solution given by Œdipus who thus shows himself possessed of knowledge is connected with a dire ignorance of the character of his own actions The rise of spiritual illumination in the old royal house is disparaged by connection with abominations the result of ignorance and that primeval royalty must in order to attain true knowledge and moral clearness first be brought into shapely form and be harmonized with the spirit of the beautiful by civil laws and political freedom

Th

historical transition takes place when the Persian world comes in contact with the Greek Here for the first time an historical transition meets us *viz* in the fall of an empire China and India as already mentioned have remained —Persia has not The transition to Greece is indeed internal but here it shows itself also externally as a transmission of sovereignty—an occurrence which from this time forward is ever and anon repeated For the Greeks surrender the sceptre of dominion and of civilization to the Romans and the Romans are subdued by the Germans If we examine this fact of transition more closely the question suggests itself—for example in this first case of the kind *viz* Persia—why it sank while China and India remain In the first place we must here banish from our minds the prejudice in favour of duration as if it had any advantage as compared with transience the imperishable mountains are not superior to the quickly dismantled

P h

principle of separation from nature is found in the Persian Empire which therefore occupies a higher grade than those worlds immersed in the natural The necessity of advance has been thereby proclaimed Spirit has disclosed its existence and must complete its development It is only when dead that the Chinese is held in reverence The Hindu kills himself becomes absorbed in Brahm undergoes a living death in the condition of perfect unconsciousne s or is a present god in virtue of his birth Here we have no change no advance is admissible for progress is only possible through the recognition of the independence of spirit With the light of the Persians begins a spiritual view of things and here spirit bids adieu to nature It is here then that we first find (as occasion called us to notice above) that the objective world remains free—that the nations are not enslaved but are left in possession of their wealth their political constitution and their religion And indeed thi is the sid on which Persia itself shows weakness as compared with Greece For we see that the Persians could erect no empire possessing complete organization that they could not inform the conquered lands with their principle and were unable to make them into a harmonious whole but were obliged to be content with an aggregate of the most diverse individualities Among these nations the Persians secured no inward recognition of the legitimacy of their rule they could not establish their legal principles of enactments and in organizing their dominion they only considered themselves not the whole extent of their empire Thus as Persia did not constitute politically *one* spirit it appeared weak in contrast with Greece It was not the effeminacy of the Persians (although perhaps Babylon infused an enervating element) that ruined them but the unwieldy unorganized character of their host as matched against Greek organization *i e* the superior principle overcame the inferior The abstract principle of the Persians displayed its defectiveness as an unorganized incompacted union of di parate contradictories in wl ich the Persian doctrine of light stood side by side with Syrian voluptuou ness and luxury with the activity and courage of the sea braving Phœnicians the abstraction of pur thought in the Jewish Religion and the mental unrest of Egypt an aggregate of elements which awaited their idealization and could receive it only in *free indi idi ality* The Greeks must be looked upon as the peo le in whom the e elements interpenetrated each other pirit became intro pective triumphed over particularity and thereby emancipated itself

pecia an bject of plunder and even after agriculture had become more general, men were still entrapped and ld fo sla es In depicting t s ginal condition f Greece, Thucydides goes still further m d tail.

Greece, then, was in this tate of turbulence insecurity and rapi and s tribes were continuall migrat n.

The other ement in which the national lif f the H l es was ersed, was the *sea* Th physique of their c untry led them to this amphibious ex ence and allowed them t kim freely over the wa es as they spread themsel es freely over the land—not roving bout like the nomad popula ons nor torpidly egetating like those of the rive d tricts Piracy not trade was the chief object of maritime occupa ons and, as we gather from Home t was n yet reck oned discreditab e Th uppres on of p racy is ascribed t Minos and Crete is renowned as t h d ere securit was first enj ed for there the state f things which we meet wi h ain in parta was early realized, in the establi ment in power f one party and the ubjugation f the her whi h was compelled t obey and work f r t f rme

W ha just spoken f heterogeneity as an element i the Greek spirit, and t is well known ... C eek m l at n are on

their m thology we ha defini e rec rd f the introd ction of agric ure by Tript lemus wh was in ructed by C es d f the instit tion of marriage et Prom the whose origin is referred t the distant Ca casus is lebra ed as ha ing first taught men the prod ction and the se f fire The in roduction f iron was likewise f grea importance t the Greeks and while H mer speaks only f b onz Æsch lus calls Scythian Th introduction f th t th rt f pinning and wea ing and the cre the h rse by Pose don, belong t th sam ca eg ry

M hi rical than these rudiments of cul ture is t leged rrival f *foreigners* tradi tion t l us h w the ari us tates were f unded by such f reign rs Thus Athens owes ts rigin t Cecrops an Egyptian whose hi t ry h w ever is in l ed in obscuri y Th ra f De calion, th son f P om heus is brought in connect on with the arious Greek tribes Pelops f Phrygia h son f Tantalus is also men tioned next, Danaus from Egypt f om him descend Acri us Da ae and Perseus Pelops is said to ha e broug t great wealth with him to the Peloponnesus, and to have acquired great respect and powe there Danaus settled in Ar gos Especially important is the arri al of Cadmus f Phoenician origin, with whom phonetic writing is said to ha e been introduced in o Greece H rodotus refers t to Phoen cia and ancient in cripti ns then extant are cited t upport the assertion. Cadmus according to the legend, founded Th bes.

We thus observe a colonization by civilized peoples who were in advance f the Greeks in point of culture though we can ot compare this colonization with that of the English in N rth America, for the latter ha e not been blended with the aborigines, but have dispossessed them w ereas in the case f the settlers in Greece the adventurous and autochthonic eleme s were mixed togethe The date a igned to the arrival of these c lonists is very remote—th four teenth and fifteenth century before Chri t. Cadmus is said to ha founded Th bes abou 1 90 B.C., a date with whi h the Exodus of Moses from Egypt (1500 B.C.) nea ly coincides. Am phictyon is also menti ned among the founders f G eek in ti utions he is said t ha e estab lished t Thermopylæ a union between many small tribes of Hellas proper and Thessaly— mbination w h which the great Amphict onic league is said to ha e originated.

Thes f re gners, th n, are reputed to have established fixed *cen. es* in Greec b the erec tion of f rtresses and th founding f royal h uses In Argolis the walls of which th ancient fortresses consisted, were called Cyclopian som of them have been discovered even in re cen times, sin on cc unt f their sol d t they are indestructible

These walls consist partly of irregular blocks w ose in ersti es are filled up with small ones —partly of masses of tones carefully fitted in o each her ch walls are those of Tiryns and Mycenæ E en now the gat wi h th lions t M cenæ can be recognized by the description f Pausanias. It is ated f Prœtus who ruled in Argos that he broug wi h him from L cia th Cyclopes wh built these walls. It is, how ev supposed that they were erected b the ancien Pelasgi. To th fortresses protected by uch walls the princes f th heroic times gen erall attached their dw llings. Especially re markabl are th treasure houses built by them, such as th Treasure-house f Min as t Orchomenus and that f Atreus t Mycenæ. These fortresses then, were the nuclei f small tates

come the submersion in nature no longer exists and consentaneously the unwieldy character of *geographical* relations has also vanished The country now under consideration is a section of territory spreading itself in various forms through the sea—a multitude of islands and a continent which itself exhibits insular features The Peloponnesus is connected with the conti nent only by a narrow isthmus the whole of Greece is indented by bays in numberless shapes The partition into small divisions of territory is the universal characteristic while at the same time the relationship and connection between them is facilitated by the sea We find here mountains plains valleys and streams of lim ited extent no great river no absolute valley plain presents itself but the ground is diversi fied by mountains and rivers in such a way as to allow no prominence to a single massive fea ture We see no such display of physical gran deur as is exhibited in the East no stream such as the Ganges the Indus etc on whose plains a race delivered over to monotony is stimulated to no change because its horizon always ex hibits one unvarying form On the contrary that divided and multiform character everywhere prevails which perfectly corresponds with the varied life of Greek races and the versatility of the Greek spirit

This is the *elementary character* of the spirit of the Greeks implying the origination of their culture from independent individualities a con dition in which individuals take their own ground and are not from the very beginning patriarchally united by a bond of *nature* but realize a union throu h some other medium—through law and custom having the sanction of spirit For beyond all other nations that of Greece attained its form by *growth* At the ori gin of their national unity separation as a generic feature—inherent *distinctness* of character—is the chief point that has to be considered The first phase in the subjugation of this constitutes the primary period of Greek culture and only

a clear conception It is a superficial and absurd idea that such a beautiful and truly free life can be produced by a process so incomplex as the development of a race keeping within the limits of blood relationship and friendship Even the

light air and water The only real antithesis that spirit can have is itself pritual ti its inherent heterogeneity through which alone it acquires the power of realizing itself as spirit The history of Greece exhibits at its commence ment this interchange and mixture of partly homesprung partly quite foreign stocks and it was Attica itself whose people was destined to attain the acme of Hellenic bloom that was the asylum of the most various stocks and families Every world historical people except the Asi atic kingdoms which stands detached from the grand historical *catena* has been formed in this way Thus the Greeks like the Romans de veloped themselves from a *colluvies*—a conflux of the most various nations Of the multitude of tribes which we meet in Greece we cannot say which was the original Greek people and which immigrated from foreign lands and distant parts of the globe for the period of which we speak belongs entirely to the unhistorical and obscure The *Pelasgi* were at that time a principal race in Greece The most various attempts have been made by the learned to harmonize the confu ed and contradictory account which we have re specting them a hazy and obscure period being a special object and stimulus to erudition Re markable as the earliest centres of incipient cul ture are Thrace the native land of Orpheus and Thessaly countries which at a later date re treated more or less into the background From Phthiotis the country of Achilles proceeds the common name *Hellenes*—a name which as Thucydides remarks presents itself as little in Homer in this comprehensive sense as the term *Barbarians* from whom the Greeks were not yet clearly distinguished It must be left to special history to trace the several tribes and their transformations In general we may assume that the tribes and individuals were prone to leave their country when too great a population occupied it and that consequently these tribes were in a migratory condition and practi ed mutual depredation Even now says the dis cerning Thucydides the Ozolian Locrians the Ætolians and Acarnanians retain their ancient mode of life the custom of carrying weapons too has maintained itself among them as a relic of their ancient predatory habits Respecting the Athenians he says that they were the first who laid aside arms in time of peace In such a state of things agriculture was not pursued the inhabitants had not only to defend them elves against freebooters but also to contend with wild beasts (even in Herodotu s time many lions infested the banks of the Nestus and Ache lous) at a later time tame cattle became es

The Crusades a the T ojan W r of n wly wakened Christendom waged against the sim p'e homogeneous clearne_s f M hammedan ism.

The royal houses perished partly as the co

G eek traged) al The peopl is the chorus— pas e deedless the he oes perform the deeds a.d i.cur th co sequent respo s bility There is thing in comm between them the peo

pears eparated f om the yal houses and these ar rega ded as an alien body a h gh race fighting out the battles and undergoing the penalties of their f te fo themsel es alo e Roy alty having performed that whi h it had to pe form th reby rend ed itself superflu us The several dyna t es a e the agent f their own de tructi n, o pen_h t th re ult f animo ity of truggles on the de f th pe pl rath r th fam lies f the s ere gns re left in calm enj ment of their pow — p oof that the democrat c g ernment which foll wed s ot ega ded as m thing ab l tely di ers H w sharply do the ann ls of oth times tra t with this

This f ll of the royal h uses occurs ft r the T jan W and m y hanges n w p ese t t emsel es The P l ponnesus was co quered by the H ra lidæ wh int duced a calme t te f things which wa ot gain interrup ed by th c ant m gr ti ns f ra es Th hi tory now be mes m bscur and th gh the ev eral occurren es f the T jan W re ery cir um_tantially described t us w e un tain respecting the important tra sactio f the tim imm diat ly foll wing fo a spac f many e uries N united und r t king di_tinguishes them unles w ega d as such that f whi h Th cydides speak the wa between the Chalcidians and E trians in Euboea in whi h many nat ons took part Th town egetat in isolat on t most di_tingush themsel es by w w th thei ghbors Yet they j y p os peri y in thi solated diti by m ns f

the c lonies sent o t in e ery di ect on Thu Athens colon ed Ionia and se eral islands a d col nies f om the Pelopon esus settled in Italy and S c ly Colo ies n the other h_nd, becam elati ely moth st tes *e g* M letus which founded many cities o the Propontis a d th Bla k Sea This ending out of colonies espe cially during the period between the Trojan War and Cyrus presents us with a remarkable phen men n. It can be th s explained In the several towns the people had th governmental powe in the r hands ince they gave the fi l deci on in political affairs In co seq ence f the long repo_e enjoyed by them, the popula tio and the development of the c mmum ty ad vanc d rap dly and the immediate result was the amass g of gre t riches co tempo aneou l with which fact gre t want and po erty mak th r ppearance I d try in our en e did not exi_t a d the lands we e soon occupied. Never thel ss a part of the po er clas es would not submit to the degradations of po erty for everyone felt himself f ee c tizen The only exped e t therefore that remained, was coloni zation In a other country those who s ffered di t ss in their own might eek a free so l and gain a living a f c tize s by its cult at C l izati n thus became a mean of ma ta n in som degree of equality m g the citizens b t this means is only a palliati e and the origi nal inequality found d on the d ffere ce of p operty immediately e ppears The old p s si w e ekindled with f esh len e d rich s w oo made use of fo securing pow thus tyra t gained ascendancy in the cities f G ee Thucydides says When G eece in ea_ed in riches tyrants a e in the c t e d the Greeks devoted themsel es m eal usly to th ea. At th time of Cyrus the hi t ry f G eece acquire t peculiar int rest w ee the rious states n w displaying th par t cula chara t This is the dat too of the

they gave a greater security to agriculture they protected commercial intercourse against robbery They were however as Thucydides informs us not placed in the immediate vicinity of the sea on account of piracy maritime towns *being of later date* Thus with those royal abodes originated the firm establishment of society The relation of princes to subjects and to each other we learn best from Homer It did not depend on a state of things established by law but on superiority in riches possessions martial accoutrements personal bravery pre eminence in insight and wisdom and lastly on descent and ancestry for the princes as heroes were regarded as of a higher race Their subjects obeyed *them not as distinguished from them by* conditions of caste nor as in a state of serfdom nor in the patriarchal relation—according to which the chief is only the head of the tribe or family to which all belong—nor yet as the result of the express necessity for a constitutional government but only from the need universally felt of being held together and of obeying a ruler accustomed to command—without envy and ill will towards him The prince has just so much personal authority as he possesses the ability to acquire and to assert but as this superiority is only the individually heroic resting on personal merit it does not continue long Thus in Homer we see the suitors of Penelope taking possession of the property of the absent Ulysses without showing the slightest respect to his son Achilles in his inquiries about his father when Ulysses descends to Hades indicates the supposition that as he is old he will be no longer honoured Manners are still very simple princes prepare their own repasts and Ulysses labours at the construction of his own house In Homer s *Iliad* we find a king of kings a generalissimo in the great national undertaking but the other magnates environ him as a freely deliberating council the prince is honoured but he is obliged to arrange everything to the satisfaction of the others he indulges in violent conduct towards Achilles but in revenge the latter withdraws from the struggle Equally lax is the relation of the several chiefs to the people at large among whom there are always individuals who claim attention and respect The various peoples do

— h nn h h t

companions of their honored chieftain as witnesses of his exploits and his defenders in peril A perfect resemblance to these relations is also presented in the Greek Pantheon Zeus is the father of the gods but each one of them has his own will Zeus respects them and they him he may sometimes cold and threaten them and they then allow his will to prevail or retreat grumbling but they do not permit matters to come to an extremity and Zeus so arranges matters on the whole—by making this concession to one that to another—as to produce satisfaction In the terrestrial as well as in the Olympian world there is therefore only a lax bond of unity maintained royalty has not yet become monarchy for it is only in a more extensive society that the need of the latter is felt

While this state of things prevailed and social relations were such as have been described *that striking* and great event took place—*the* union of the whole of Greece in a national undertaking *vi* the *Trojan War* with which began that more extensive connection with Asia which had very important results for the Greek (The expedition of Jason to Colchis also mentioned by the poets and which bears an earlier date was as compared with the war of Troy a very limited and isolated undertaking) The occasion of that united expedition is said to have been the violation of the laws of hospitality by the son of an Asiatic prince in carrying off the wife of his host Agamemnon assembles the princes of Greece through the power and influence which he possesses Thucydides ascribe his authority to his hereditary sovereignty combined with naval power (*Iliad* ii 108) in which he was far superior to the rest It appears however that the combination was effected without external compulsion and that the whole armament wa convened simply on the strength of individual consent The Hellenes were then brought to act unitedly to an extent of which there is no subsequent example The result of their exertions was the conquest and destruction of Troy though they had no design of making it a permanent possession No external result therefore in the way of settlement ensued any more than an enduring political union as the effect of the uniting of the nation in the accomplishment of this single achievement But *the poet supplied an imperishable portraiture* of their youth and of their national spirit to the imagination of the Greek people and the picture of this beautiful human heroism hovered as a directing ideal before their whole development and culture So likewise in the *middle ages* we see the whole of Christendom united to attain one object—the conquest of the Holy Sepulchre but in spite of all the victories achieved with just as little permanent result

The Crusad s are the Trojan War of newly a ake ed Chri tendom wag d ag nst the sim ple h mog n ous clearness of Mohammedan ism

Th royal hou s peri h d, p tly a the con

i othing in c mmon between them the peo ple ha o di ect g p r b t only appeal t th god S ch hero c pe sonalit es as those of the princ in qu st on a e so remark bly suited f subje ts of dramatic art on this very acc unt th t th y form their esolut ons indepe de tly

fighting ut the battles and undergo ng the pen alties f their f te for themsel es alone Roy alty having pe f rmed that which t had to per form thereby re d ed itself upe fl s The ral dyn st es the agents of th wn d structi r per sh t s the re lt of a m ity of t ggl s n the d f the pe ple r th r the fam lies f the s ve e gns a e left in c lm enj yment of thei pow — proof th t the d m t g rnment wh h f ll wed s n t ga ded as om th g b olutely di e s H w harply do the annals of oth t m c tr t with th s!

Th f ll of the royal ho s o rs ft r the T j Wa a d m ny ch nges now p e e t thems l es Th P l po e us wa co quer d b the He aclidæ wh int d ed lm st t of th s which wa not g n int rupt d by the ssa t migr t o s of races Th h st ry n w be omes m e obscure and th gh th er l occurr es of the T j W e ery c cum ta tially desc b d to us w e unce ta respe ting the imp t t tra sactio f th tim imm diately f ll wing fo p c f m y c nes No im t d und rtaki g di ti guishe them nles w g d a h th t of wh ch Th ydid s sp ak s the w betwe the Ch lcidians and E t ians Eubœa in wh ch

trade a kind of *progress* to which their being

t time is p oved acco ding to Thucyd d s also y the colonies s nt out n e ery directio Thus Athens coloni ed Ion a and se eral islands and colo es from the Pelopon esus settled in Italy h h d became

cially du ing the period between the Trojan War a d Cyrus presents us with a rem rkable ph omeno It can be thu explained In the se eral towns the people had the go ernmental power in th r hands si ce *they gave the fi l* dec s on in political affairs In c nseq ence of the long repo e enjoyed by them the popul tion a d the development of the community ad vanced rap dly and the immediat res lt w s the am s ng of great riches co temporaneously w th which fact great want and po e ty m ke the r appearance Indu try in our ense did n t ex t d the la ds we e on occupied Never theless a part of the po er clas s wo ld not subm t to the degradatio s of poverty for everyo e felt h mself a f e c ti en The o ly e p d t th efore that r mained, was c lo zat o In a ther country those who suffered d stress n the r own might se k a free s l and g in h g *as f ee c tize by its cult ation* C lonizat on th became a me ns of ma ta n ing m degree of equality m the citizens but this me is o ly p ll ative and the orig nal inequality fou ded on th d fferen e of pr perty immediately re ppea s The old p s w e kindled w th fresh v olence d r ch s w r soo mad e of for securing p w thus tyrants gai ed a cend cy in the c t es f G eece Th ydid s says Wh G ce n as d in riches tyra ts a ose in the c tie d the G k devoted thems l es mo e eal o sly t th e At the t me of Cyrus th h t ry f G eece acq e its pecul i te est we the ario states now di play g the r par t cular cha cter Th is the d te too of the

physical condition of the country does not exhibit such a characteristic unity, such a uniform mass, as to exercise a powerful influence over the inhabitants. On the contrary, it is diversified, and produces no decided impression. Nor have we here the unwieldy unity of a family or national combination; but in the presence of scenery and displays of elemental power broken up into fragmentary forms, men's attention is more largely directed to themselves and to the extension of their immature capabilities. Thus we see the Greeks divided and separated from each other, thrown back upon their inner spirit and personal energy, yet at the same time most variously excited and cautiously circumspect. We behold them quite undetermined and irresolute in the presence of nature, dependent on its contingencies, and listening anxiously to each signal from the external world; but on the other hand intelligently taking cognizance of and appropriating that outward existence, and showing boldness and independent vigour in contending with it. These are the simple elements of their culture and religion. In tracing up their mythological conceptions, we find natural objects forming the basis—not *en masse*, however, only in dissevered forms. The Diana of Ephesus (that is, nature as the universal mother), the Cybele and Astarte of Syria—such comprehensive conceptions remained Asiatic, and were not transmitted to Greece. For the Greeks only *watch* the objects of nature, and form *surmises* respecting them, inquiring in the depth of their souls for the hidden meaning. According to Aristotle's dictum, that philosophy proceeds from wonder, the Greek view of nature also proceeds from wonder of this kind. Not that in their experience spirit meets something extraordinary, which it compares with the common order of things; for the intelligent view of a regular course of nature, and the reference of phenomena to that standard, do not yet present themselves; but the Greek spirit was excited to wonder at the *natural* in nature. It does not maintain the position of stupid indifference to it as something existing, and there an end of it; but regards it as something in the first instance foreign, in which, however, it has a presentiment of confidence, and the belief that it bears something within it which is friendly to the human spirit, and to which it may be permitted to sustain a positive relation. This *wonder*, and this *presentiment*, are here the fundamental categories; though the Hellenes did not content themselves with these moods of feelings, but projected the hidden meaning, which was the subject of the surmise, into a distinct conception as an object of consciousness. The natural holds its place in their mind only after undergoing some transformation by spirit—not immediately. Man regards nature only as an excitement to his faculties, and only the spiritual which he has evolved from it can have any influence over him. Nor is this commencement of the spiritual apprehension of nature to be regarded as an explanation suggested by *us*; it meets us in a multitude of conceptions formed by the Greeks themselves. The position of curious surmise, of attentive eagerness to catch the meaning of nature, is indicated to us in the comprehensive idea of *Pan*. To the Greeks Pan did not represent the *objective* whole, but that indefinite neutral ground which involves the element of the *subjective*; he embodies that thrill which pervades us in the silence of the forests; he was, therefore, especially worshipped in sylvan Arcadia: (a "panic terror" is the common expression for a groundless fright). Pan, this thrill-exciting being, is also represented as playing on the flute; we have not the bare internal presentiment, for Pan makes himself audible on the seven-reeded pipe. In what has been stated we have, on the one hand, the indefinite, which, however, holds communication with man; on the other hand, the fact that such communication is only a subjective imagining—an explanation furnished by the percipient himself. On the same principle the Greeks listened to the murmuring of the fountains, and asked what might be thereby signified; but the signification which they were led to attach to it was not the objective meaning of the fountain, but the subjective—that of the subject itself, which further exalts the Naiad to a Muse. The naiads, or fountains, are the external, objective origin of the Muses. Yet the immortal songs of the Muses are not that which is heard in the murmuring of the fountains; they are the productions of the thoughtfully listening spirit—*creative* while *observant*. The interpretation and explanation of nature and its transformations—the indication of their relationship to nature—Μαντεία has reference both to the matter of the exposition and to the expounder who divines the weighty import in question. Plato speaks of it in reference to dreams, and to that delirium into which men fall during sickness; an interpreter, μάντις, is wanted to explain these dreams and this delir

rum. That n tu e answe ed the questions which th G eek put to h r is i this c n e se sense true that he obt ined an a swe to the q es tio of n t e from his own p rit The ins ght of th r become the by purely po ti al spi t supplies the s gnification which th nat ural im g exp esses E erywhe e the Greeks

wh lmed th s rrow f Achilles n ient g t t o cam ov r the ea the Gre ks were n th point f dispersin in terr r when the ex pe d Nesto a se and t rp ted the phe nom o to th m Thet s he sa d was comi g w th h r nymphs t lame t fo the death of he son When a pestile ce b k o t in th camp f th G ks th priest Calchas ex plained that Apoll wa in ens d at th r n t ha ing r to ed the da ht of his prie t Chry ses when a ransom had b offe ed. The oracle was riginally int rp et d exactly in this way The ldest ora le was at D d a (in the dis trict of th modern Janin) H dotus says that th first priestesses of the templ th w f m Egypt yet thi temple tated t be an ancient G eek e Th ru thing f the lea es f the sacr d oaks was th form of p g ost cat th e B wls of m tal w e als us pended in th grove B t the sou ds of th bowls da hing against h th we e quite indefinit d had o bjecti ense th ense th s nificat was impart d t the s unds only by the huma bei gs wh hea d them Thus lso th D lphi priestes es in a en les distracted tat in the intoxicati f enthusia m (μα) uttered unin elligible unds and t wa th μαντι who ga t thes tt ran es a definite meani g In th ca e f T ophoni the n ise f bterranean w t rs was h d, and ppari ti ns seen b t these indefinite phen mena qu ed meani g nly thro gh the interp t ing mprehending sp rit It must ls be b served, that these e citem ts f sp rit e in th first in tan external, natural impulses Su eed g them int rnal hanges taking place in th hum n being him lf— h s dreams th delirium f the D lphi priest s—which qu t be made int lligible by th μαντι At th ommencement f th *Iliad* Achilles is ex cit d gainst Agamemn n, and is on th po t f drawing his swo d b t dden he checks th mov ment f h s rm d ec llects himself in hi wra h ect g on hi relati n t Aga mem on The poet explains this by sayin that t wa P llas A hen (wisdom on ideration) th t restrained him When *Ulysses among* the Phæa i ns has thrown his d scus farther than the rest nd one of the Phæacians shows a friendly di pos t on tow rds him the poet rec

e

poets were n this way the teachers of the G eeks —espec lly Homer M r n fact is poesy not a caprici us ind lgence of f ncy but an m ginatio which int *oduces the sp ritual int* the natural—in hort a richly intelligent per cept on. The Greek pirit on the whole there fo is fr e f om superstitio s nce t cha ges the *sensu s i* to the *ens ble*—the intellectual *so that d cis ons are deri ed from spirit* al th ugh superst tion comes again from anothe quarter s will b observ ed when impuls ns f m another sou ce than the sp ritual are al lowed to tell upon opinion nd action.

But th stimuli that op rated on the sp rit of the G eeks are not to be l mited to these ob je t e and subje ti e exc t ments Th tr di tio al element deri ed f om f re gn countries th cult re the di inities d ritual observa ces transmitted to them *ab tra* must l be in cluded It has bee lo g a much vexed ques ti wheth r the arts and the r ligion of the G eeks we e developed indepe de tly or thro gh

go y for th G eeks and s gn d to th gods th ir ppropriat ep th ts (a mo t we ghty sen ten whi h ha be th subject of deep in tig tio e pe ally by C uze) d in another *pla e that G ee* e took the names of its di inities from Egypt, d th t the Gre k m de inquiry t D d whether they o ght t adopt thes nam o ot. This ppears self-c ntradi tory t however quite c sistent f the fact is that the Greeks ev l d the *p ritual* f m th materials which they had recei d. The natural as *explained* by man—*i e* ts internal *essential lement*—*is* as a uni ersal principle th beginning of the di ine Just as in art the G eeks may ha acqu ed a ma tery f techni l matt rs f om others f m th Egyptians especially s in the r ligi n th commence m t might ha been f m with ut but by th ir indepe dent p t they transf rmed the

one as well as the other

Traces of such foreign rudiments may be generally discovered (Creuzer in his *Symbolik* dwells especially on this point) The amours of Zeus appear indeed as something isolated extraneous adventitious but it may be shown that foreign theogonic representations form their basis Hercules is among the Hellenes that spiritual humanity which by native energy attains Olympus through the twelve far famed labours but the foreign idea that lies at the basis is the sun completing its revolution through the twelve signs of the zodiac The mysteries were only such ancient rudiments and certainly contained no greater wisdom than already existed in the consciousness of the Greeks All Athenians were initiated in the mysteries—Socrates excepted who refused initiation because he knew well that science and art are not the product of mysteries and that wisdom never lies among arcana True sci nce has its place much rather in the open field of consciousness

In summing up the constituents of the *Greek spirit* we find its fundamental characteristic to be that the freedom of spirit is conditioned by and has an essential relation to some stimulus supplied by nature Greek freedom of thought is excited by an alien existence but it is free because it transforms and virtually reproduces the stimulus by its own operation This phase of spirit is the medium between the loss of individuality on the part of man (such as we observe in the Asiatic principle in which the spiritual and divine exists only under a natural form) and infinite subjectivity as pure certainty of itself—the position that the ego is the ground of all that can lay claim to substantial existence The Greek spirit as the medium between these two begins with nature but transforms it into a mere objective form of its (spirit s) own existence spirituality is therefore not yet absolutely free not yet absolutely *self* produced—is not self stimulation Setting out from surmise and wonder the Greek spirit advances to definite conceptions of the hidden meanings of nature In the subject itself too the same harmony is produced In man the side of his subjective existence which he owes to nature is the heart the di position passion and variety of temperament this side is then developed in a piritual direction to free individuality so that the character is not placed in a relation to universally valid moral authorities assuming the form of

This stamps the Greek character as that of *individuality conditioned by beauty* which is produced by spirit transforming the merely natural into an expression of its own being The activity of spirit does not yet possess in itself the material and organ of expression but needs the excitement of nature and the matter which nature supplies it is not free self determining spirituality but mere naturalness formed to spirituality—spiritual individuality The Greek spirit is the plastic artist forming the stone into a work of art In this formative process the stone does not remain mere stone—the form bein only superinduced from without but it is made an expression of the spiritual even contrary to its nature and thus *trans*formed Conversely the artist *needs* for his spiritual conception stone colours sensuous forms to express his idea Without such an element he can no more be conscious of the idea himself than give it an objective form for the contemplation of others since it cannot in thought alone become an object to him The Egyptian spirit also was a similar labourer in matter but the natural had not yet been subjected to the spiritual No advance was made beyond a struggle and contest with it the natural still took an independent position and formed one side of the image as in the bod of the Sphinx In Greek beauty the sensuous is only a sign an expression an envelope in which spirit manifests itself

It must be added that while the Greek pirit is a transforming artist of this kind it knows itself free in its productions for it is their creator and they are what is called the work of man They are however not merely this but eternal truth—the energizing of spirit in its innate essence and quite as really not created as created by man He has a respect and veneration for these conceptions and images—this Olympian Zeus this Pallas of the Acropolis—and in the same way for the laws political and ethical that guide his actions But he the human being is the womb that conceived them he the breast that suckled them he the spiritual to which their grandeur and purity are owing Thus he feels himself calm in contemplating them and not only free in himself but possessing the consciousness of his freedom thus the honour of the human is swallowed up in the worship of the divine Men honour the divine in and for itself but at the same time as their deed their production their phenomenal existence thus the divine receives its honour through the respect paid to the human and the human in virtue of the honour paid to the divine

...ch are the qualities of that *beautiful* ...d ...ity which constitutes the centre of the Greek characte... We must now consider the several radiations which this idea throws out in realizing i... All issue in works of art and ...e ma... arrange under three heads the *subjec*...ive work of art that is the culture of the man himself the *objective* work of ...rt ...e the ...ning of the world of divinities L...tly the *po...t...al* work of art, the form of the Constitution, and the relations of the individuals wh... compose it.

Section II

PHASES OF INDIVIDUALITY ÆSTHETICALLY CONDITIONED

Cha...ter 1 *The Subjective Work of Art*

Man with his necessities sustains a practical re...a...on to external nature and in making it satisfy his desires and thus using it up has recourse to a ...ystem ...f *m...ans* Fo... natural objects are powerful and off... resistance in various

These human inventions bel... to spirit, and ...h an instrument is to be respected m...e than mere natural object. W... ee too that th... Greeks are ...cus...med t... et an especial value upon them, f... in H...m... man delight in them ...pears m... ...ery striki... way In the notice ...f Agamemnon sceptr... t... ...ngin is gi...en in detail mention is m...d... f doors whi...h turn on hinges and f... c...outrement and furniture in ...way that expresses satisf...ction. The ho...our human in...ention in ...ubjugating nature is asc...bed t... the gods

But on th... the h...d man uses nature f... *ornament* w...h is intended ...nly as a token of wealth and ...f that whi...h man has mad... f him self W... f...d ...rnament in this interest ...lready ...ery much dev...loped am...g th... Hom...n Greeks It is true that both b... barians and civ...lized nations ...rnament themsel...es but barbari... ...ontent themsel...es with mere ornament the... ...ed their persons to plea... by an *ext...rnal* addition But ...rnament by ...ts ...ery nature is destined ...nly t... be ...fy somethin... other than ...tse...f ...r... the huma... body whi...h is man im... mediat... en...r...ment and whi...h in... ...mmon ...h nat...re ...t larg... he has t... transf...rm. Th... ...iritual int...est ...f p...mary importa... ...is the...fore the dev...lo...ment ...f th... body t...

perfect organ for the will—a... adaptation which may on the one hand, itself be the means fo... ulterio... objects and on the other hand, appe...r as an object *per se* Among the Greeks then we find this boundless impulse of indi...iduals to *display themsel...es* and to find their enjoyment in ...o doin... Sensuous e...joyment does not become the basis of their condition when a st...te of repose has been obtained, any more than the dependence and ...tupor of ...upersti...on which en...joyment entails. They are too powerfully excited, too m...ch bent upo... developing their indi...idual...ty ...absol...ely to adore nature as it man fe...s

the o...e side t...ey ha...e too much ind...pendent personality to be subjugated by superstition that ...e...timent has not gone to the extent of making them ...ain ...on the co...trary essential condit...ns must be first satisfied before this can become ...matt...r of vanity with them. The exhilarating ...ense ...f personality in co...trast with sensuous subjection t... natu...e and the ...eed, n...t of m...re pleasure but of the display ...f ind...dual powers in orde... th...reby to gain spe...cial distinction and consequent enjoym...nt co...stitu...e therefore the chief characteristic and principal occupati... of th... Greeks Free as the *b...rd ...inging in the ...ky* the ...ndi...idual only ex...presses what lies in his untrammelled human na...tur... to ha...e his importance recognized. This is the *subj...tive* beginning ...f G...eek art, in which the human being ...laborates his physical being in f...ee beautiful mo...ement ...d agile ...our to a work of ...rt. Th... G...eeks first trained their ...wn *persons to beautiful* c...nfigura...ions bef... they ...ttempted th... exp...ession ...f such in ma...bl... and in paintings The innocuous co...tests ...f *g...m...* in which every one exhib...s his pow...rs ...is of very ancient date. H...mer gi...es a n...bl... descrip...tion ...f th... games cond...cted by A...hilles ...n h...n...ur ...f Patroclus b...t in all his poems th... ...is no ...e of ...tatues ...f the gods though h... men...ions the sanctuary ...t Dodona and the treasure hou...e

one as well as the other

Traces of such foreign rudiments may be generally discovered (Creuzer in his *Symbolik* dwells especially on this point) The amours of Zeus appear indeed as something isolated extraneous adventitious but it may be shown that foreign theogonic representations form their basis Hercules is among the Hellenes that spiritual humanity which by native energy attains Olympus through the twelve far famed labours but the foreign idea that lies at the basis is the sun completing its revolution through the twelve signs of the zodiac The mysteries were only such ancient rudiments and certainly contained no greater wisdom than already existed in the consciousness of the Greeks All Athenians were initiated in the mysteries—Socrates excepted who refused initiation because he knew well that science and art are not the product of mysteries and that wisdom never lies among arcana True sci nce has its place much rather in the open field of consciousness

In summing up the constituents of the *Greek spirit* we find its fundamental characteristic to be that the freedom of spirit is conditioned by and has an essential relation to some stimulus supplied by nature Greek freedom of thought is excited by an alien existence but it is free because it transforms and virtually reproduces the stimulus by its own operation This phase of spirit is the medium between the loss of individuality on the part of man (such as we observe in the Asiatic principle in which the pirit ual and divine exists only under a natural form) and infinite subjectivity as pure certainty of itself—the position that the ego is the ground of all that can lay claim to substantial existence The Greek spirit as the medium between these two begins with nature but transforms it into a mere objective form of its (spirit s) own existence spirituality is therefore not yet absolutely free not yet absolutely *self* produced—is not self stimulation Setting out from surmise and wonder the Greek spirit advances to definite conceptions of the hidden meanings of nature In the subject itself too the same harmony is produced In man the side of his subjective existence which he owes to nature is the heart the di position passion and variety of temperament this side is then developed in a pirital direction to free individuality so that the character is not placed in a relation to universally valid moral authorities assuming the form of into an expression of its own being The activity of spirit does not yet possess in it elf the material and organ of expre sion but needs the excitement of nature and the matter which nature supplies it is not free self determining pirituality but mere naturalness formed to pirituality—spiritual individuality The Greek piri is the plastic artist forming the tone into a work of art In this formative process the tone does not remain mere stone—the form bein only superinduced from without but it is mad an expression of the spiritual even contrary to its nature and thus *trans*formed Conversely the artist *needs* for his spiritual conception stone colours ensuous forms to express his idea Without such an element he can no more be conscious of the idea himself than give it an objective form for the contemplation of others since it cannot in thought alone become an object to him The Egyptian spirit al o was a similar labourer in matter but the natural had not yet been subjected to the spiritual No advance was made beyond a struggle and contest with it the natural still took an independent position and formed one side of the image as in the body of the Sphinx In Greek beauty the sensuous is only a sign an expression an envelope in which spirit manifests itself

It must be added that while the Greek pirit is a transforming artist of this kind it knows it self free in its productions for it is their creator and they are what is called the work of man They are however not merely this but eternal truth—the energizing of spirit in its innate essence and quite as really not created as created by man He has a respect and veneration for these conceptions and images—this Olympian Zeus this Pallas of the Acropolis—and in the same way for the laws political and ethical grandeur and purity are owing Thus he feels himself calm in contemplating them and not only free in him elf but possessing the consciousness of his freedom thus the honour of the human is swallowed up in the worship of the divine Men honour the divine in and for it elf but at the same time as their deed their production their phenomenal existence thus the divine receives its honour through the re pect paid to the human and the human in virtue of the honour paid to the divine

...ctly and naivel than in this myth the new dynasty of d...ies proclaim their peculiar nature o be f spiritual order

The second point is t... the new di...ities re... natural elements and consequently in them selves a determinate relation t the powers f nature, as was previously shown. Zeus has his lightnings and clouds and Hera is the creatress of ... the production of crescent vitality. Zeus is also the political god, the protector of morals and of hospitality. Oceanus as such, is only the element of nature which his name de... ...tes. Poseidon has still the wildness of that ele... ...ment in his character but he is also an ethical personage t him is ascribed the building f walls and the production f the Horse. Helios is the natural element. This Light, according to the analogy of spirit, has been transformed to self-consciousness, and Apollo has proceeded from Helios. The name ... points t ... connection with light Apollo was a herdsman in the employ f Admetus but oxen not subjected to the yoke were sacred t Helios his rays represented as arrows kill the python. The idea f ... as the natural power constituting the basis f the representation cannot be dissociated from this divinity especially as the other predicates attached t ... are easily united with it, and the explanations f Muller and others who deny this basis are much more arbitrary and far fetched. For Apollo is the prophesying and discerning god—light, that makes every thing clear. H... is moreover the healer and strengthener as also the destroyer f he kills men. H... is the propitiating and purifying god ... f the Eumenides the an... ...ent subterranean divinities who exact hard stern justice. He himself is pure he has ... wife but only ... and is not involved in various disgusting adventures like Zeus moreover h is the discerner and declarer the starer and leader f ... as the sun leads the harmonious dance f stars. In like manner the naiads became the Muses. The mother f the gods Cybele continuing be worshipped t Ephesus as Artemis is scarcely t be recognized as the Artemis ... the Greek the ... huntress and destroyer f w... beasts. Should it be said that this change f the natural into the spiritual is owing t our ... or that f the later Greeks, we may ... that this transformation f the natural to the spiritual is th Greek spirit ... self. The epigrams f ... Greeks exhibit such advances from the sensuous t the spiritual. But the abstract understanding cannot comprehend this ... f the natural with the spiritual.

It must be further observed, that the Greek ...

form the substance of these divinities ... are ...

an a ...bration of something else. The Greek gods express of themselves what they are. The eternal repose and clear intelligence that dignifies the head of Apollo is not a symbol but the expression in which spirit manifests itself and shows itself present. The gods are personal ...

in a system. Zeus perhaps may be regarded ...ruling the other gods, but not with substantial power so that they are left free to their own idiosyncrasy. Since the whole range of spiritual and moral qualities was appropriated by the gods, the unity which stood above them all, necessarily remained abstract it was therefore formless and unmeaning fact—necessity whose oppressive character arises from the absence of the spiritual in it whereas the gods hold friendly relation to men, for they are spiritual natures. That higher thought ..., the knowledge of unity as God—the One Spirit—lay beyond that grade of thought which the Greeks had attained.

With regard to the ... and special that attaches to the Greek gods, the question arises, where the external origin of this diversity is element is to be looked for It arises partly from local characteristics the scattered condition of the Greeks at the commencement of their national life fixing, as this did on certain points, and consequently introducing local representations. The local divinities stand alone and occupy a much greater extent than they do afterward when they enter into the circle of the divinities and are reduced to limited position they are conditioned by the particular co...

places possess temples t which peculiar legend attaches. A similar relation occurs in the case f the Catholic saints and their legends though

things how beautiful youths and maidens move as quickly with well taught feet as the potter turns his wheel The multitude stand round enjoying the spectacle the divine singer accompanies the song with the harp and two chief dancers perform their evolutions in the centre of the circle

These games and æsthetic displays with the pleasures and honours that accompanied them were at the outset only private originating in particular occasions but in the sequel they became an affair of the nation and were fixed for certain times at appointed places Besides the Olympic games in the sacred district of Elis there were also held the Isthmian the Pythian and Nemean at other places

If we look at the inner nature of these sports we shall first observe how sport itself is opposed to serious business to dependence and need This wrestling running contending was no serious affair bespoke no obligation of defence no necessity of combat Serious occupation is labour that has reference to some want I or nature must succumb if the one is to continue the other must fall In contrast with this kind of seriousness however sport presents the higher seriousness for in it nature is wrought into spirit and although in these contests the subject has not advanced to the highest grade of serious thought yet in this exercise of his physical powers man shows his freedom *vi* that he has transformed his body to an organ of spirit

Man has immediately in one of his organs the voice an element which admits and requires a more extensive purport than the mere sensuous present We have seen how *song* is united with the dance and ministers to it but subsequently song makes itself independent and requires musical instruments to accompany it it then ceases to be unmeaning like the modulations of a bird which may indeed express emotion but which have no objective import but it requires an import created by imagination and spirit and which is then further formed into an *objective work of art*

Chapter 2 *The Objective Work of Art*

If the subject of song as thus developed among the Greeks is made a question we should say that its essential and absolute purport is *religious* We have examined the idea embodied in the Greek pirit and religion is nothing else than this idea made objective as the essence of being According to that idea we shall observe also that the divine involves the *vis naturæ* only as an element suffering a process of transformation to spiritual power Of this natural element as its origin nothing more remains than the accord of analogy involved in the representation they formed of spiritual power for the Greeks worshipped God as spiritual We cannot therefore regard the Greek divinity as similar to the Indian—some power of nature for which the human shape supplies only an outward form The essence is the spiritual itself and the natural is only the point of departure But on the other hand it must be observed that the divinity of the Greeks is not yet the *absolute* free spirit but spirit in a particular mode fettered by the limitations of humanity—still dependent as a determinate individuality on external conditions Individualities objectively beautiful are the gods of the Greeks The divine spirit is here so conditioned as to be not yet regarded as abstract spirit but has a *speciali ed existence*—continues to manifest itself in sense but so that the sensuous is not its *substance* but is only an *element* of its manifestation This must be our leading idea in the consideration of the Greek mythology and we must have our attention fixed upon it so much the more firmly as—partly through the influence of erudition which has whelmed essential principles beneath an infinite amount of details and partly through that destructive analysis which is the work of the abstract understanding—this mythology together with the more ancient periods of Greek hi tory has become a region of the greatest intellectual confusion

In the idea of the Greek spirit we found the two elements nature and spirit in such a relation to each other that nature forms merely the point of departure This degradation of nature is in the Greek mythology the turning point of the whole—expressed as the war of the god the overthrow of the Titans by the race of Zeus The transition from the Oriental to the Occidental spirit is therein represented for the Titans are the merely physical natural existences from whose grasp sovereignty is wrested. It is true that they continue to be venerated but not as Chronos expresses the dominion of abstract time which devours its children The unlimited power of reproduction is restrained and Zeus appears as the head of the new divinities who embody a piritual import and are themselves spirit It is not possible to express this transition more

See H g l I l b d e Ph l d R l i II p 10 sqq (d dit)

human form fo f om this the sp ritual beams forth. But if it were a ked Does God reces sily manifes himself The questio must be answered in the affirmative fo there is o essential existen that does not manifest itself The real d fect of the Greek religion, as compared with the Christian, is therefore that in the f rmer the *manifestation* constitutes the highest mode in which th divine being is conceived to exist—th sum and sub ta ce f di ... m th Christian religio the mani festa on is regarded only as a *temporary phase* of th divine. Here the *man fested* God dies, and leva es himself to glory only fter death ... h n ht hand

figured by the imagin tion.

But wh did God t appear to the Greeks in the flesh Because man was n t duly estimated, ... ll h h d

a d shaping of th divinity therefore continued to be the product of indiv dual ws One element in spirit is that it prod es tself—*makes* itself what t is and the other is that it is rig inall free—that freed m is it *natur* a d ts idea. But the G eeks ince they had n t attained an intellectual concepti f themsel es did not ve realise spirit in ts universality had not the idea f man and the essential unity f th di ine and human nature acco ding to th Christian view Only the self hant, truly subjecti e spirit can bear t dispense with the ph n menal side and can enture to ssign th di ine nature to spirit alone. It then lo ger eeds t inwea e the natural int ts dea f the spiritual in der *to hold fa t* t on ept on f the di ine and t have its unity with the di ine xternally ... ble but while free thought *thinks* the phen menal it is con ent to lea e t as t is for t al. *th k* that union of the finit and th infinite, and recognizes it not as m re cidental uni b t ... bsolute—the eternal dea ts lf Since subjectivity was t mprehe ded in all its depth by the Greek spirit the true rec cilia tion was not ttained in t and the human sp rit did n t yet assert its true position. This d fect showed itself in th f ct f f t as pure subjectivity ppearing superi r t th gods it al... lows self in the fact that men deri their resolves t yet f om themsel es but f m th oracles. Neither human or divin subjecti ty

recognized as infinite has as yet absolutely decisi e authority

Chapter 3 *The Political Work of Art*

The tate unit s the two phase just consid ered, ... the subjecti e and the objecti e work of art. In the state spirit is not a mere object like the de t es nor on the other hand, is t me ely subjecti ely developed to a beautiful ...

d anced to such a degree of abstraction that the ubjecti e unit is con cious of direct depend ence on the substantial principle—*the state* as such. In this grad f f eedom, the indi d al will is unfettered in the entire range of ts ital ity and embodies that sub tantial principle ac cording to ts particular diosyncrasy In Rome on th the hand, we shall observe a harsh sov ereignty dominating over the indi idual mem bers of th tate as also in the German Empire a mona chy in whi h the indi dual is connected with and has *devoir* to perf rm not only in regard to the monarch but to the whole mona ch ical organizati n.

The democratical state is not patriarchal, doe t re t on a still unreflecting undev loped onfidence but implies laws, with the consciousness of their being f unded an equitable and m ral basis and the recognition f these laws as positi e. At th time of the kings n political life had as yet made ts appearance in Hellas th are th refore only slight traces of legis lati n. B t in th int rval f om th Trojan War till near the tim of Cyrus, t neces ty was felt. Th first lawgi ers ar kn wn under th name of The Seven Sages—a title which t that time did n t imply any such chara ter as that of the sophists—teachers f wisdom, des gnedly proclaiming the right and true—but merely think ing men whose thinking stopped h rt f scien p operly so call d. They were *p tical* politi cians the good c unsel which two f them—Thales of Mil tus and Bias f Priene—ga to the I nian c ties ha been already menti ned. Thus Solon was c mmissioned by the Athenians

here not the several localities but the one *Mater Dei* supplies the point of departure being afterwards localized in the most diversified modes The Greeks relate the liveliest and most attractiv stories of their gods to which no limit can be assigned since rich fancies were always gu hing forth anew in the living spirit of the Greeks A second source from which adventi tious specialities in the conception of the gods arose is that worship of nature whose represen tations retain a place in the Greek myths as cer tainly as they appear there also in a regenerated and transfigured condition

The preservation of the original myths brings us to the famous chapter of the *mysteries* already mentioned These mysteries of the Greeks present something which as unknown has attracted the curiosity of all times under the supposition of profound wisdom It must first be remarked that their antique and primary character in virtue of its very antiquity shows their destitution of excellence—their inferior ity that the more refined truths are not ex pressed in these mysteries and that the view which many have entertained is incorrect ui that the unity of God in opposition to poly theism was taught in them The mysteries were rather antique rituals and it is as unhistorical as it is foolish to assume that profound philosoph ical truths are to be found there since on the contrary only natural ideas—ruder conceptions of the metamorphoses occurring everywhere in nature and of the vital principle that pervades it—were the subjects of those mysteries If we put together all the historical data pertinent to the question the result we shall inevitably arrive at will be that the mysteries did not constitute a system of doctrines but were sensuous cere monies and exhibitions consisting of symbols of the universal operations of nature as *e g* the relation of the earth to celestial phenomena The chief basis of the repre entations of Ceres and Proserpine Bacchus and his train was the uni versal principle of nature and the accompany ing details were obscure stories and representa tions mainly bearing on the universal vital force and its metamorphoses An analogous process to that of nature pirit has al o to undergo for it must be twice born *i e* abnegate itself and thus the representations given in the mysteries

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dread comes over men when a signification is perceived in a form which as a sensuous phe nomenon does not express that signification and which therefore both repels and attracts—awakes surmises by the import that reverberates through the whole but at the same time a thrill of dread at the repellent form Æschylus was ac cused of having profaned the my teries in his tragedies The indefinite representations and symbols of the mysteries in which the profound *import is only surmi ed are an element alien to* the clear pure forms and threaten them with destruction on which account the gods of art remain separated from the gods of the mysterie and the two spheres must be strictly di sociated

Most of their god the Greeks received from foreign lands as Herodotus states expressly with regard to Egypt but these exotic myths were transformed and spiritualized by the Greeks and that part of the foreign theogonies which ac companied them was in the mouth of the Hel lenes worked up into a legendary narrative which often redounded to the disadvantage of the divinities Thus also the brutes which con tinued to rank as gods among the Egyptians were degraded to external signs accompanying the spiritual god While they have each an indi vidual character the Greek gods are al o rep resented as human and this anthropomorphi m is charged as a defect On the contrary (we may immediately rejoin) man as the spiritual con stitutes the element of truth in the Greek god which rendered them superior to all elemental deities and all mere abstractions of the One and Highest Being On the other side it is alleged a an advantage of the Greek gods that they are represented as men—that being regarded as not the case with the Christian God Schiller say

> *W h le the gods emai ed more huma*
> *The men were mo e d i e*

But the Greek god must not be regarded as more human than the Christian God Chri t is much more a *man* he lives dies suffers death on the cross which is inf nitely more human than the humanity of the Greek idea of the beautiful But in referring to this common element of the Greek and the Christian rel gions it mu t be said of both that if a manifestation of God is to be suppo ed at all his natural form mu t be that of pirit which for en uous concept on is essentially the human for no other form can lay claim to pirituality God appears indeed in the sun in the mountains in the trees in every thing that has life but a natural appearance of this kind is not the form proper to pirit here God is cognizable only in the mind of the per cipient If God himself is to be manifested in a corre ponding expression that can only be the

human form for from this the spiritual beams forth. But if it were asked Does God *necessarily* manifest himself The question must be answered in the affirmative for there is no essential existence that does not manifest itself The real defect of the Greek religion as compared with the Christian, is therefore, that in the former the *manifestation* constitutes the highest mode in which the divine being is conceived to exist—the sum and substance of divinity while in the Christian religion the manifestation is regarded only as a *temporary phase* of the divine Here the *manifested* God dies and leaves himself to glory only after death is Christ represented as sitting at the right hand of God. The Greek god, on the contrary exists for his worshippers perennially *in the manifestation*—only in marble in metal or wood, or as figured by the imagination.

But why did God not appear to the Greeks *in the flesh* Because *man* was not duly estimated, did not obtain honour and dignity till he had more fully elaborated and developed himself in the attainment of the freedom implicit in the aesthetic manifestation in question the form and shape of the divinity therefore continued to be the product of individual views. One element in spirit is that it produces itself—*makes* itself what it is and the other is that it is originally free—that freedom is its *nature* and its idea. But the Greeks since they had not attained an intellectual conception of themselves did not yet realize spirit in its universality had not the idea of man and the essential unity of the divine and human nature according to the Christian view Only the self-reliant, truly subjective spirit can bear to dispense with the phenomenal side and can venture to assign the *divine nature* to spirit alone. It then no longer needs to inweave the natural into its idea of the spiritual, in order to hold fast its conception of the divine and to have its unity with the divine externally visible but while free thought *thinks* the phenomenal it is content to leave it as it is for it also *thinks* that union of the finite and the infinite and recognizes it not as a mere accidental union, but as the absolute—the eternal idea itself Since subjectivity was not comprehended in all its depth by the Greek spirit the *true* reconciliation was not attained in it and the human spirit did not yet assert its true position. This defect showed itself in the fact of fate as pure subjectivity appearing superior to the gods it also shows itself in the fact that men derive their resolves not yet from themselves but from their oracles. Neither human nor divine subjectivity recognized as infinite has as yet absolutely decisive authority

Chapter 3 *The Political Work of Art*

The state unites the two phases just considered, viz the subjective and the objective work of art. In the state spirit is not a mere object like the deities nor on the other hand, is it merely subjectively developed to a beautiful physique It is here a living universal spirit but which is at the same time the self-conscious spirit of the individuals composing the community

The *democratical* constitution alone was adapted to the spirit and political condition in question. In the East we recognized despotism developed in magnificent proportions as a form of government strictly appropriate to the dawn land of history Not less adapted is the democratical form in Greece, to the part assigned to it in the same great drama. In Greece we have the freedom of the individual, but it has not yet advanced to such a degree of abstraction, that the subjective unit is conscious of direct dependence on the substantial principle—the state as such. In this grade of freedom, the individual will is unfettered in the entire range of its vitality and embodies that substantial principle according to its particular idiosyncrasy In Rome on the other hand, we shall observe a harsh sov

with and has *devoirs* to perform not only in regard to the monarch but to the whole monarchical organization.

The democratical state is not patriarchal, does not rest on a still unreflecting undeveloped confidence but implies laws, with the consciousness of their being founded on an equitable and moral basis and the recognition of these laws as positive. At the time of the kings no political life had as yet made its appearance in Hellas there are therefore only slight traces of legislation. But in the interval from the Trojan War till near the time of Cyrus, its necessity was felt. The first lawgivers are known under the name of The Seven Sages—a title which at that time did not imply any such character as that of the sophists—teachers of wisdom designedly proclaiming the right and true—but merely thinking men whose thinking stopped short of science, properly so called. They were *practical* politicians the good counsels which two of them—Thales of Miletus and Bias of Priene—gave to the Ionian cities have been already mentioned. Thus Solon was commissioned by the Athenians

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the excellence—their inferior ity that the more refined truths are not ex pressed in these mysteries and that the view which many have entertained is incorrect vi that the unity of God in opposition to poly theism was taught in them The mysteries were rather antique rituals and it is as unhistorical as it is foolish to assume that profound philosoph ical truths are to be found there since on the contrary only natural ideas—ruder conceptions of the metamorphoses occurring everywhere in nature and of the vital principle that pervades it—were the subjects of those mysteries If we put together all the historical data pertinent to the question the result we shall inevitably arrive at will be that the mysteries did not constitute a system of doctrines but were sensuous cere monies and exhibitions con isting of symbols of h the The and uni

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To this state of things in which every one presumes to have a judgment of his own confidence in great men is antagonistic. When, in earlier times the Athenians commission Solon to legislate for them, or when Lycurgus appears at Sparta as lawgiver and regulator of the state it is evidently not supposed that the people in general think that they know best what is politically right. At a later time also it was distinguished personages of plastic genius in whom the people placed their confidence Cleisthenes *e.g.* who made the constitution still more democratic than it had been—Miltiades Themistocles, Aristides and Cimon, who in the Median wars stand at the head of Athenian affairs—and Pericles in whom Athenian glory centres as its focus But as soon as any of these great men had performed what was needed, envy intruded, *i.e.* the recoil of the sentiment of equality *against conspicuous talent*, and he was either imprisoned or exiled. Finally the sycophants arose among the people aspersing all individual greatness and reviling those who took the lead in public affairs.

But there are three other points in the condition of the Greek republics that must be particularly observed.

1 With democracy in that form in which alone it existed in Greece *oracles* are intimately connected To an independent resolve, a consolidated subjectivity of the will (in which the latter is determined by preponderating reasons) is absolutely indispensable but the Greeks had not this element of strength and vigour in their volition. When a colony was to be founded, when it was proposed to adopt the worship of foreign deities or when a general was about to give battle to the enemy the oracles were consulted. Before the battle of Plataea Pausanias took care that an augury should be taken from the animals offered in sacrifice and was informed by the soothsayer Tisamenus that the sacrifices were favorable to the Greeks provided they remained on this hither side of the Asopus but the contrary if they crossed the stream and began the battle. Pausanias therefore waited the attack. In their private affairs too the Greeks came to determinations not so much from subjective conviction as from some extraneous suggestion. With the advance of democracy we observe the oracles no longer consulted on the most important matters but the particular views of popular orators influencing and deciding the policy of the state As at this time Socrates relied upon his Dæmon, so the popular leaders and the people relied on their individual convictions in forming their decisions. But contemporaneously with this were introduced corruption disorder and an uninterrupted process of change in the constitution.

2 Another circumstance that demands special attention here is the element of slavery This was a necessary condition of an æsthetic democracy where it was the right and duty of every citizen to deliver or to listen to orations respecting the management of the state in the place of public assembly to take part in the exercise of the gymnasia and to join in the celebration of festivals. It was a necessary condition of such occupations that the citizens should be freed from handicraft occupations consequently that what among us is performed by free citizens the work of daily life should be done by slaves. Slavery does not cease until the will has been infinitely self-reflected, until right is conceived as appertaining to every freeman and the term freeman is regarded as a synonym for man in his generic nature as endowed with reason. But here we still occupy the standpoint of morality as mere wont and custom and therefore known only as a peculiarity attaching to a certain kind of existence.

3 It must also be remarked, thirdly that such democratic constitutions are possible only in small states—states which do not much exceed the compass of cities The whole polis of the Athenians is united in the one city of Athens Tradition tells that Theseus united the scattered Demes into an integral totality In the time of Pericles at the beginning of the Peloponnesian War when the Spartans were marching upon Attica, its entire population took refuge in the city Only in such cities can the interests of all be similar in large empires on the contrary diverse and conflicting interests are sure to present themselves. The living together in one city the fact that the inhabitants see each other daily render a common culture and a living democratic polity possible In democracy the main point is that the character of the citizen be plastic all of a piece He must be present at the critical stages of public business he must take part in decisive crises with his entire personality not with his vote merely he must mingle in the heat of action—the passion and interest of the whole man being absorbed in the affair and the warmth with which a resolve was made being equally ardent during its execution. That unity of opinion to which the whole community must be brought must be produced in the individual members of the state by *oratorical suasion* If this were attempted by *writing* in an abstract,

to give them laws as those then in operation no longer sufficed Solon gave the Athenians a constitution by which all obtained equal rights yet not so as to render the democracy a quite abstract one The main point in democracy is moral disposition *Virtue* is the basis of democracy remarks Montesquieu and this sentiment is as important as it is true in reference to the idea of democracy commonly entertained The substance of justice the common weal the general interest is the main consideration but it is so only as custom in the form of objective will so that morality properly so called—subjective conviction and intention—has not yet manifested itself Law exists and is in point of substance the law of freedom—rational and valid *because it is law i e* without ulterior sanction As in beauty the natural element—its sensuous coefficient—remains so also in this customary morality laws assume the form of a necessity of nature The Greeks occupy the middle ground of *beauty* and have not yet attained the higher standpoint of truth While custom and wont is the form in which the right is willed and done that form is a stable one and has not yet admitted into it the foe of immediacy—reflection and subjectivity of will The interests of the community may therefore continue to be intrusted to the will and resolve of the citizens and this must be the basis of the Greek constitution for no principle has as yet manifested itself which can contravene such choice conditioned by custom and hinder its realizing itself in action The democratic constitution is here the only possible one the citizens are still unconscious of particular interests and therefore of a corrupting element the objective will is in their case not disintegrated Athene the goddess is Athens itself—*i e* the real and concrete spirit of the citizens The divinity ceases to inspire their life and conduct only when the Will has retreated within itself—into the *adytum* of cognition and conscience—and has posited the infinite schism between the subjective and the objective The above is the true position of the democratic polity its justification and absolute necessity rest on this still immanent objective morality For the modern conceptions of democracy this justification cannot be pleaded These provide that the interests of the community

their respective opinions and give their votes and this on the ground that the interests of the state and its concerns are the interests of such individual members

All this is very well but the essential condition and distinction in regard to various phases of democracy is *What is the character of* these individual members? They are absolutely authorized to assume their position only in as far as their will is still *objective Will*—not one that wishes this or that not mere good will For good will is something particular—rests on the morality of individuals on their conviction and subjective feeling That very subjective freedom which constitutes the principle and determines the peculiar form of freedom in *our* world which forms the absolute basis of our political and religious life could not manifest itself in Greece otherwise than as a *destructive* element Subjectivity was a grade not greatly in advance of that occupied by the Greek spirit that phase must of necessity soon be attained but it plunged the Greek world into ruin for the polity which that world embodied was not calculated for this side of humanity did not recognize this phase since it had not made its appearance when that polity began to exist Of the Greeks in the first and genuine form of their freedom we may assert that they had no conscience the habit of living for their country without further reflection was the principle dominant among them The consideration of the state in the abstract which to our understanding is the essential point was alien to them Their grand object was their country in its living and *real aspect* —*this actual* Athens this Sparta these temples these altars this form of social life this union of fellow citizens these manners and customs To the Greek his country was a necessary of life without which existence was impossible It was the Sophists—the Teachers of Wisdom —who first introduced subjective reflection and the new doctrine that each man should act according to his own conviction When reflection once comes into play the inquiry is started whether the principles of law cannot be improved Instead of holding by the existing state of things *internal* conviction is relied upon and thus begins a subjective independent freedom in which the individual finds himself in a position to bring everything to the test of his own conscience even in defiance of the existing constitution Each one has his principles and that view which accords with his private judgment he regards as *practically* the best and as claiming *practical realization This decay even* Thucydides notices when he speaks of every one's thinking that things are going on badly when he has not a hand in the management

history hung trembling n the b lance. Oriental despotism a wo ld united unde o e lord and sovere gn on the one side and sepa ate states insignificant in extent and re ources b t a ı mated by fre indı ıduality on the other side stood front to front in array of battle Ne er in history has the uperiority of sp ıtual power o er material bulk a d that of no contemptible amount been made so gl rı usly manifest Th s wa a d the s bseq ent de elopment of the sta es which took the lead n t ıs the most brillia t period of Gr ec E erything whı h the Greek principle in ol ed then reached its perfect bloom and c m ınt the l ght of day

The Athenians ontinued their wars of con quest f r a conside able time and thereby at tained a high degree f prosperity while the Lacedæmonians who had no naval power re main d quiet. Th antag nism of Athens and Sparta w commences—a f orite theme for — m v h serted that it

jectio to disciplı e etc may be ad ra t g ous ly cited. B t th leadingp ınc pl that ha acter izes this st t ıs political virtue whı h Athens and Sparta ha ı d ed ın c mm but which ın th tate devel ped tself to wo k of art f e ındividuality—in the other re tained ts s bstantı l form Bef r w peak of the P l ponne. an W ın whı h th j alousy f Sparta and Ath ns b ke ut ınt a flam we m t xhib t m p fically the fundam tal cha cte f th tw states th r distı ctions ın a political and m al pect

Ath ns

W ha l eady be me q a ted with Ath yl m f the inhab ta ts f th oth dı tricts f G ce in whı h ery mixed populat w gregated Th arıo s b an hes of huma dustry gr cultur ha dı craft and t d (pecially by ea) w united ın Ath ns b t g as t m h dı se s o An tag nism had ly risen betwee anc ent and wealthy f mılı and h as we e poo er Th ee part es wh se distinct o h d been ground d o ı thei l cal po tı and th mode of life whı h th t pos t s ggested w then fully gnızed. Thes wer th Pedıæ s—inhab tant f the plain the rich and rı to

cratic the Diacrians—mountaineers cultı ators of the vı e and ol ve and herdsmen who were the most numerous class and between the two the Paralians inhabitants of the coast the mod erate party The pol ty of the state was waver ing between aristocracy and democracy Solon effected, by his dıvıs on into four property — — ıoo tes All

f the commun ty ıt had not yet beco t ıı hab t of moral and cı l existe ce But it ıs still m re remarkable that Pıs stratus introduced no legislatı e changes and that he presented him self befo e the Areopagus to nswer an accusa tion b ought ag nst him The rule of Pıs stra tus and of his sons appears to have been needed for rep essing the power of great families and factı ns—for accustoming them to order and peace and the citizens generally on the other hand, t the Solonıa legislat on Th s be g ac c mplished that rule was necessarily regarded as superfluous and the princ ples of a free code enter into c nflı t with the power of the P s tratidæ Th Pısist atıdæ we e expelled H p-pa hus killed, and H ppias banished Then fac tıo we e rev ed the Alcmæonidæ who took the le d ın the insurrectı fa ored democr cy on th other ha d the Spartans aided the ad rse party f Isag as wh ch follow d the arı tocrat c dı e tıon The Alcmæonidæ with Clesth es at the head, kept the upper hand This leader made th const t tion still mo dem cratı than it had been the φ λαι of which h therto the e had bee only four w re increased to ten and thus had the effect of dimin shing the ınfl e ce f the clans La tly Pericles rendered the co stitution yet mo e democratic by dım ıshın th essential dignity of th Areopagus and bringing causes that had h therto belo ged to t bef e th dem and the tribunal P rı cl s was a statesman of pl tıc a tique char acter whe h de ted himself t p blıc l fe he ren ed prı ate life withdrew f om all fe sts a d banq ts a d purs ed without intermıssı n his aım f b g useful to the st te—a c rse of d ct by which he att ned su h exalted po t that Arı t phanes call him the Zeus f Athens W annot b t admı e him in the highe t degre he stood t the head f a light

lifeless way no general fervour would be excited among the social units and the greater the number the less weight would each individual vote have In a large empire a general inquiry might be made votes might be gathered in the several communities and the results reckoned up—as was done by the French Convention But a political existence of this kind is destitute of life and the world is *ipso facto* broken into fragments and dissipated into a mere paper world In the French Revolution therefore the republican constitution never actually became a democracy tyranny despotism raised its voice under the mask of freedom and equality

We come now to the second period of Greek History The first period saw the Greek spirit attain its æsthetic development and reach maturity—realize its *essential being* The second shows it manifesting itself exhibits it in its full glory as producing a work for the world asserting its principle in the struggle with an antagonistic force and triumphantly maintaining it against that attack

The Wars with the Persians

The period of contact with the preceding world historical people is generally to be regarded as the *second* in the history of any nation The world historical contact of the Greeks was with the Persians in that Greece exhibited itself in its most glorious aspect The occasion of the Median wars was the revolt of the Ionian cities against the Persians in which the Athenians and Eretrians assisted them That which in particular induced the Athenians to take their part was the circumstance that the son of Pisistratus after his attempts to regain sovereignty in Athens had failed in Greece had betaken himself to the king of the Persians The Father of history has given us a brilliant description of these Median wars and for the object we are now pursuing we need not dwell long upon them

At the beginning of the Median wars Lacedæmon was in possession of the hegemony partly as the result of having subjugated and enslaved the free nation of the Messenians partly because it had assisted many Greek states to expel their tyrants Provoked by the part the Greeks had taken in assisting the Ionians against him the Persian King sent heralds to the Greek cities to require them to give water and earth i e to acknowledge his supremacy The Persian envoys were contemptuously sent back and the Lacedæmonians went so far as to throw them into a well—a deed however of which they afterwards so deeply repented as to send two Lacedæmonians to Susa in expiation The Persian King then despatched an army to invade Greece With its vastly superior force the Athenians and Platæans without aid from their compatriots contended at Marathon under Miltiades and gained the victory Afterwards Xerxes came down upon Greece with his enormous masses of nations (Herodotus gives a detailed description of this expedition) and with the terrible array of land forces was associated the not less formidable fleet Thrace Macedon and Thessaly were soon subjugated but the entrance into Greece proper the Pass of Thermopylæ was defended by three hundred Spartans and seven hundred Thespians whose fate is well known Athens voluntarily deserted by its inhabitants was ravaged the images of the gods which it contained were an abomination to the Persians who worshipped the amorphous the unformed In spite of the disunion of the Greeks the Persian fleet was beaten at Salamis and this glorious battle day presents the three greatest tragedians of Greece in remarkable chronological association for Æschylus was one of the combatants and helped to gain the victory Sophocles danced at the festival that celebrated it and on the same day Euripides was born The host that remained in Greece under the command of Mardonius was beaten at Platæa by Pausanias and the Persian power was consequently broken at various points

Thus was Greece freed from the pressure which threatened to overwhelm it Greater battles unquestionably have been fought but these live immortal not in the historical records of nations only but also of science and of art of the noble and the moral generally For these are world historical victories they were the salvation of culture and spiritual vigour and they rendered the Asiatic principle powerless How often on other occasions have not men sacrificed everything for one grand object! How often have not warriors fallen for duty and country! But here we are called to admire not only valour genius and spirit but the purport of the contest the effect the result which are unique in their kind In all other battles a particular interest is predominant but the immortal fame of the Greeks is none other than their due in consideration of the noble cause for which deliverance was achieved. In the history of the world it is not the formal valour that has been displayed not the so called merit of the combatants but the importance of the cause itself that must decide the fame of the achievement In the case before us the interest of the world's

f ence on their con t t tion also In reference to th mode in which the Sparta state origi na ed, we ob erve that the Dorians in aded the hd d the lav in s suf

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the h u. the elati n f the Spa ali t e subjugated ra e wa e f ev greater harsh ness than th t of the Turks to the Greeks a t te of wa fare was const tly kept up in La cedæmon. In ent ring upo office the Ephors m d an un rved d cl r t o f war against th H lots and the latte we h b tu lly gi en up to the young Spartans to be pract sed upon in their marti l ex ci es The Helot were on some occa ns s t f e and f ught ag in t the en my m reo r they di pla ed extra rdinary al th ranks of the Spart s but on the r return they w e b tch red in the most c w d ly and in di us way As in a la hip the rew a c tantly arm d d the gr te t ca e i taken t pre ent an in ur ecti n th Sp rt ns exercised c nstant gila ce e th Helots and wer always in co diti f w r as gai t enemi s

Property in land wa di d d, even acc rding to the constit ti n f Lycurgus (as Pl t ch relat) int equal parts f wh ch 9 000 ly bel g d t the Spart s— th nhab ta ts of th city—and 3 000 to th La edæmo ans o Periæci At the sam tim t was appointed, in der to maint in th eq lity that th po

h ting many est tes had come by marri g int th poss f f f mili d at l st all th la d d p pert was in the hand f a limit d umbe f t h w how f lish t is t ttempt f d quality—an att mpt wh h, whil in ff ctu in lizi g ts p fess d b ject is lso destru ti f m st ential point f liberty th f di po ition of p operty An th rema kabl f tu in the legislat on of Ly gus hi f b dding all mo y e c pt that made f an ena tment which n ces tat d th bolti f all f ign bu iness and traffi Th Spartans m e had no na l f e— f indispensable t the upport a d

furtherance of commerce and on occas ons whe such a f rce was required they had to ap ply to the Pers ans for it

It was with an espec al iew to promote s m ilar ty of manners and a more int mate ac qua ntance of the citizens with each other that the Spartans had me ls in common—a com munity howe er wh ch disparaged famil life f r eating a d drinking is a pri ate ff r a d consequ ntly belongs to domest c ret rement It was o regard d amo g the Athen ans with them a ociat on was not materi l but sp ritual a d e en th r b quets as we see f om Xeno phon and Plato had an i t llectual to e Among the pa tans on the other hand the costs of the commo meal were m t by the co tribu ons of th e eral members a d he who was too poor to offer such a cont buti n was con q ently e luded.

As to the polit cal co titu i n of Sparta its basis m y be call d d mocratic b t with co s derable modificat ons wh ch rendered it almo t an ari tocracy a d ol ga chy At the head f the st te were two ki gs at wh se de w s a nate (γ ρουσ) chos n f om the be t men of the f rm d he f ct on of

lating the most mportant affairs Lastly on of the I he t m gistracies w s that of the *epho s* respecting wh e el ctio we ha e n definite in f rmat Arist tle says that the m de of ch e w s exceedi gly childish W learn f m Aristotle that even persons with t nobil ty or p perty c ld att this dignity Th ephors had f ll auth rity to c ok popula a em bl to p t esolut ns t the vote d to p o pos l w alm t in the same w y a the *trib pl b* in R me Th power became tyrannical lik that whi h R besp err and his party e ci ed f time in F e

While th Lacedæmonians dir cted th r en tire atte t on to the tate int llectual cultu e— rt d ence—was not d mi il d am g them. Th Spartans appea ed to the est of the G eeks stiff coars awkwa d b in wh uld t tra sact busine s in ol ing any degree f intri cy o t l t p f rmed it ery clums ly Th cydides makes the Ath ia say t the

minded but highly refined and cultivated people the only means by which he could obtain influence and authority over them was his personal character and the impression he produced of his being a thoroughly noble man exclusively intent upon the weal of the state and of superiority to his fellow citizens in native genius and acquired knowledge In force of individual character no statesman can be compared with him

As a general principle the democratic constitution affords the widest scope for the development of great political characters for it excels all others in virtue of the fact that it not only *allows of* the display of their powers on the part of individuals but *summons* them to use those powers for the general weal At the same time no member of the community can obtain influence unless he has the power of satisfying the intellect and judgment as well as the passions and volatility of a cultivated people

In Athens a vital freedom existed and a vital equality of manners and mental culture and if *inequality* of property could not be avoided it nevertheless did not reach an extreme Together with this equality and within the compass of this freedom all diversities of character and talent and all variety of idiosyncrasy could assert themselves in the most unrestrained manner and find the most abundant stimulus to development in its environment for the predominant elements of Athenian existence were the independence of the social units and a culture animated by the spirit of beauty It was Pericles who originated the production of those eternal monuments of sculpture whose scanty remains astonish posterity it was before this people that the dramas of Æschylus and Sophocles were performed and later on those of Euripides—which however do not exhibit the same plastic moral character and in which the principle of corruption is more manifest To this people were addressed the orations of Pericles from

Socrates Plato and Aristophanes—the last of whom preserved entire the political seriousness of his people at the time when it was being corrupted and who imbued with this seriousness wrote and dramatized with a view to his country s weal We recognize in the Athenians great industry susceptibility to excitement and develop

and Plato attaches rather to that later period when misfortune and the corruption of the democracy had already supervened But if we would have the verdict of the ancients on the political life of Athens we must turn not to Xenophon nor even to Plato but to those who had a thorough acquaintance with the state in its full vigour who managed its affairs and have been esteemed its greatest leaders *i e* to its statesmen Among these Pericles is the Zeus of the human Pantheon of Athens Thucydides puts into his mouth the most profound description of Athenian life on the occasion of the funeral obsequies of the warriors who fell in the second year of the Peloponnesian War He proposes to show for what a city and in support of what interests they had died and this leads the speaker directly to the essential elements of the Athenian community He goes on to paint the character of Athens and what he says is most profoundly thoughtful as well as most just and true We love the beautiful he says but without ostentation or extravagance we philosophize without being seduced thereby *into* effeminacy and inactivity (for when men give themselves up to thought they get further and further from the practical—from activity for the public for the common weal) We are bold and daring but this courageous energy in action does not prevent us from giving ourselves an account of what we undertake (we have a clear consciousness respecting it) among other nations on the contrary martial daring has its basis *in deficiency of culture* we know best how to distinguish between the agreeable and the irksome notwithstanding which we do not shrink from perils Thus Athens exhibited the spectacle of a state whose existence was essentially directed to realizing the beautiful which had a thorou hly cultivated consciousness respectin the serious side of public affairs and the interests of man s spirit and life and united with that consciousness hardly courage and practical ability

Sparta

Here we witness on the other hand rigid abstract virtue—a life devoted to the state but in which the activity and freedom of individuality are put in the background The polity of Sparta is based on institutions which do full justice to the interest of the state but whose object is a lifeless equality—not free movement The very first steps in Spartan history are very different from the early stages of Athenian development The Spartans were Dorians—the Athenians Ionians and this national distinction has an in-

essentially between Athe s and Sparta Thucy dides has l ft us the h tory of the gre ter part mm rtal wo k is the ab lute gain

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guilty of a tull mo e ex hing demo racy in Ath ns nd n the c t es of G eece g erally and in gi ing a p epo derance to f tu ns that des ed liga chy but were n t strong enough to maintain them el es with out fo eign as istanc La tly in the pe ce of Antalcid s parta put the fini hing tr ke to he trea hery by gi ng ove the G eek cities in A ia Mino t Pers domin on.

Lacedæmon had th ef e both by the oli garchies whi h t had et up n various c untries d by the garriso s which t m ta ed in some cities—as g Th bes—obta ed great preponderan e in G eec But the Gr ek st tes re far m re incen ed t Sparta pp es on than they had pr usly been t Ath nia su premacy With Th be t thei head, they ca t off th y k and th Thebans bec m fo mo ment th m t di ti gui hed people in Hella But t wa to two distingui hed men m g it citizens that Thebes w d t ent powe — Pelopidas and Epaminond s as f the m st part in that stat we find th ubject e pre po derant. I c da c w th this pri ciple l rical poetry th t whi h is th xp es on of s bjectiv ty especially flouri h d ther kind of bjectiv amen ty f ture how t. If also in th so-c lled S cred Legi which f rm ed th k rn l f th Th b host and was re garded s n u g of pers c nn cted by amat ry bonds wh l th nfl en e f bjec ll n oved by the

the towns the w in essant c tests in citizen wer di ded int f cti ns in the l h n f th middle es Th t ry f party tailed the banishment f th oth r th latter then usuall ppli d t th enemies f th nati e ty t btain their aid in subj at ing t by f f rms Th various tates could long o-exist peaceabl th y p epa d ruin fo ea h other as well as f themsel es

We ha e then now to invest gate the *corrup t on* of the Greek wo ld in its profounder im port, and may denote the principle of that c r rupt on as *subject ty obta g emancipa ion* biecti y obtrudi g it If in

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price menace ts po t subjecti ity comprehending and manife t ng itself threatens the exist ng state of things in every department—characterized as that state of things is by immediacy Th ught therefore appea s here as the principle of decay—decay i of substantial m ral ty for it intro uces an antithe s and as erts essentially rational pri c ples In the oriental states in wh ch there is no uch antith s mor l f e dom cannot be reali ed s nce th h hest pri c ple is abstr c tion. But when thought rec gn zes its pos ti e character as in Greece it establ hes principles and these bear to the real wo ld the elat o of e enc t form F r the concrete vitality fo nd mo g the G eeks is customary mo al ty—a life fo religi for the state without further re d w th ut nalys s leading to bstract

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elf an ide f n improved tate demands that th s ideal hould take the place of things as they are

In th princ ple of G eek f eedom, ina much as t is f eed m is in ol ed the elf-emanc pation f th ught. We b erved th dawn f thought in th cir le f m menti ed bo e under th well known ppellation of th Seven S ges It was th y wh first utt red g e al propo t n though at that tim w sdom con isted rather in conc te ins ght. P rall l with th adva c in the de el pment of rel gious art and with political gr wth we find a p ogres st e gthening of thought ts emy d de t o a d t th tim of the P loponnesian War cie e was al eady developed. W th th

served among the G eek in th r practical life and in the chievement of w ks f art how itself also in the turns and windings which the de s took so that as material things a

Spartans You have laws and customs which have nothing in common with others and besides this you proceed when you go into other countries neither in accordance with these nor with the traditionary usages of Hellas In their intercourse at home they were on the whole honourable but as regarded their conduct towards other nations they themselves plainly declared that they held their own good pleasure for the commendable and what was advantageous for the right It is well known that in Sparta (as was also the case in Egypt) the taking away of the necessaries of life under certain conditions was permitted only the thief must not allow himself to be discovered Thus the two states Athens and Sparta *stand in contrast with* each other The morality of the latter is rigidly directed to the maintenance of the state in the former we find a similar ethical relation but with a cultivated consciousness and boundless activity in the production of the beautiful—subsequently of the true also

This Greek morality though extremely beau

the reflection of thought within itself the emancipation from the natural element—(the sensuous that lurks in the character of beauty and divinity)—and from that immediacy which attaches to their ethics Self comprehension on *the part of thought is wanting—illimitable self* consciousness—demanding that what is regarded by me as right and morality should have its confirmation in myself from the testimony of my own spirit that the beautiful (the idea as manifested in sensuous contemplation or conception) *may also become the true—an inner* supersensuous world *The standpoint occupied* by the æsthetic spiritual unity which we have just described could not long be the resting place of spirit and the element in which further advance and corruption originated was that of subjectivity—inward morality individual reflection and an inner life generally The perfect bloom of *Greek life lasted only about* sixty years—from the Median wars B C 49 to the Peloponnesian War B C 431 The principle of subjective morality which was inevitably introduced became the germ of corruption which however showed itself in a different form in Athens from that which it assumed in Sparta in Athens as *levity in public conduct in Sparta* as private depravation of morals In their fall the Athenians showed themselves not only amiable but great and noble—to such a degree that we cannot but lament it among the Spartans on the contrary the principle of subjectivity develops itself in vulgar greed and issues in vulgar ruin

The Peloponnesian War

The principle of corruption displayed itself first in the external political development in the contest of the states of Greece with each other and the struggle of factions within the cities themselves The Greek morality had made Hellas unfit to form one common state for the dissociation of small states from each other and the concentration in cities where the interest and the spiritual culture pervading the *whole could be identical was the necessary con*dition of that grade of freedom which the Greeks occupied It was only a momentary combination that occurred in the Trojan War and even in the Median wars a union could not be accomplished Although the tendency towards such a union is discoverable the bond was but weak its permanence was always endangered by jealousy and the contest for the hegemony set the states *at variance with each other* A general outbreak of hostilities in the Peloponnesian War was the consummation Before it and even at its commencement Pericles was at the head of the Athenian nation—that people most jealous of its liberty it was only his elevated personality and great genius that enabled him to maintain his *position After the wars with the Medes* Athens enjoyed the hegemony a number of allies—partly islands partly towns—were obliged to contribute to the supplies required for continu

[illegible]

by an immense power was concentrated in Athens a part of the money was expended in great architectural works in the enjoyment of which since they were products of spirit the allies had some share But that Pericles did not devote the whole of the money to *works of art* but also made provision for the demos in other *ways was evident after his death* from the quantity of stores amassed in several magazines but especially in the naval arsenal Xenophon

[illegible]

and all who desire what is worth seeing or hearing in sacred and public matters?

In the Peloponnesian War the struggle was

tey reprob ed in Socrates had al e d stru k firm root amo g them el es and th t they must be pronoun d guilt or innocent with him W h thi feelin th c demned th accu rs f Socrates and decla ed him guilt In Ath ens that higher principle wh h pro ed the ruin f t Athen n st te ad an ed in ts d ve op ment with t termi n p nt h d a quired

— 1 t l nd rm the en um the uty that the was

The ne t step in ad a ce is then t at quite mple ne that the place of the dethr ned oracle should be taken by another d cid n w ll —a *real* authoritativ e *royalty* The fore gn Mac edo ian king—Phil p—und rtook to a enge the

— hem l es mer y

tey bear the tamp f the m st unbridl d mirth.

In Sparta the sam corrupt n is intr du d, sinc the social unit eeks t a sert his individ ualit gain t th m ral lif of th ommunity but th w ha m l th is l ted s de f par cular bjectiv ty—c rruptio in ts un di uised f m blank imm rality ulga self hne and enalit All these pas ons manifest themsel es in Spart espe ially in th persons f ts gen rals wh fo the mo t part li g t distan f m th c untry obtai oppor tunity f ecuri g d ta es at th expense f their wn tat w ll f th e t wh as s t n e th y e t

The Macedonian Empire

Aft th f ll f Ath Spart took upon hers lf th h em b t mi u d t as al read ment ed selfi hl that h was uni versall h ted. Th be ld t lo ustain th part f hum l t g Sp rt d was t l t exha t d in th w th th Phoc s Th Spartans d th Phoc s—th f rme because they had urpris d th citad l f Th b the la bec u hey had till d p ec f land be l g t th D lph Apollo—h d bee en ter d t pay ns d rabl ms f m y B th t tes h wev fused pa ment f th Am phi t C un il had t m b m th t tha th d G rman D t whi h th Ge ma p es be ed ly so f uited thei in Lnati Th Ph ians w e th t be pun h d by th Th bans b t b an gregious p

the r ndepe de t d lonce ma nta n the r own foot n The charge of littleness harsh ess violence and pol t cal t each ry—all th se hateful characteri t cs with which *Phil p* has often bee reproached—d d not ext nd to the youn Alexander when h placed him lf at the head of the Greeks He had no ne d to incur such ep oaches h had n t t form a military f rce fo he found e already in existen As he had nly to mount Buc phalus and t ke the e in ha d, t mak him bseq ou to his w ll just so he found th M edo an ph lanx p epa ed f r his purpo e that rigid w l tra ed ro ma s th power of wh ch had b en d mo trat d under Ph l p who cop d it f om Epamin das

Alexande had been ed cated by the deepe t d al th m t comprehen e thinker of antiqu t —Aristotl a d the educat wa w rthy f th ma wh h d undertak it Alex ander was ini ted into the p f undest meta phys cs th fo e his natur was th u hl fin d d liberated f m th cu t mary bond of m op nio dit s and dl fancies Aris t tl l ft this grand natu e as untramm ll d as t was bef h s tructions comm ced but imp es ed upon t deep perc pt f what th tru and f rm d the p nt wh h n t e had so n hly d w d t a plastic bein r lli g freely like an o b thr ugh ts e cum mb t eth

Thu mpli h d Al xander placed him lf t the h d of the Hellenes in d to le d G ee e o e int As a A y th of twe t h command d th ghl experie d rmy wh e e ral w ll etera w ll ersed n the rt of wa It w s Alexa d m t a g G eece fo all that A a had inflict d pon it

changed worked up and used for other than their ori inal purposes similarly the essential being of spirit—what is thought and known—is variously handled it is made an object about which the mind can employ itself and this oc cupation becomes an interest in and for itself The movement of thou ht—th

cultivated Sophists who were not erudite or scientific men but masters of subtle turns of thought excited the admiration of the Greeks For all questions they had an answer for all interests of a political or religious order they had general points of view and in the ultimate development of their art they claimed the ability to prove everything to discover a justifiable side in every position In a democ racy it is a matter of the first importance to be able to speak in popular assemblies to urge one s opinions on public matters Now this de mands the power of duly presenting before them that point of view which we desire them to re gard as essential For such a purpose intellec tual culture is needed and th d

u it of enforcing their views and interests on the demos the expert Sophist knew how to turn the subject of discus sion this way or that way at pleasure and thus the doors were thrown wide open to all human passions A leading principle of the Sophists was that Man is the measure of all things but in this as in all their apophth

u pi vate interest The Sophists meant man simply as subjective and intended in this dictum of theirs that mere liking was the principle of right and that advantage to the individual was the ground of final appeal This sophistic principle appears again and again though under different forms in various peri ods of history thus even in our own times sub jective opinion of what is right—mere feeling—is made the ultimate ground of decision

In beauty as the Greek principle there was a concrete unity of spirit united with reality with country and family etc In this unity no fixed point of view had as yet been adopted within the spirit

transcende

liking But

thought it was the absolute essence of the world And it was in *Socrates* that at the be ginning of the Peloponnesian War the principle of subjectivity—of the absolute

versal Socrates is celebrated as a teacher of morality but we should rather call him the *inventor of morality* The Greeks had a *customary* morality but Socrates undertook to teach them what moral virtues duties etc were The moral man is not he who merely wills and does that which is right not the merely innocent man but he who has the consciousness of what he is doing

Socrates in assigning to insight to conviction the determination of men s actions posited the individual as capable of a final moral decision in contraposition to country and to customary morality and thus made himself an oracl in the Greek sense He said that he had a δαίμων within him which counselled him what to do and revealed to him what was advantageous to his friends The rise of the inner world of sub jectivity was the rupture with the existing real ity Though Socrates himself continued to per form his duties as a citizen it was not the actual state and its religion but the world of thought that was his true home Now the question of the existence and nature of the gods came to be discussed The disciple of Socrates Plato banished from his ideal state Homer and Hes iod the originators of that mod of conceiving of religious objects which prevailed among the Greeks for he desiderated a higher conception of what was to be reverenced as divine—one more in harmony with thought Many citizens now seceded from practical and political life to live in the ideal world The principle of Soc rates manifests a revolutionary aspect towards the Athenian state for the peculiarity of this state was that customary morality was the form in which its existence was moulded an in separable connection of thought with actual life When Socrates wishes to induce his friends to reflection the discourse has always a negative tone he brings them to the consciou ne s that they do not know what the right is But when on account of the giving utterance to that principle which was advancing to recognition Socrates is condemned to death the entence bears on the one hand the aspect of unimpeachable rectitude —inasmuch as the Athenian people condemns its deadliest foe—but on the ther hand that of a deeply tragical character ina much as the Athenians had to make the d scovery that what

cetes.

In Greece the tates had pre erved their ex st'en bro ght t a onsci us ess of their weak ess by Philp and Alexander thev co tri ed to enjo an ppare t t h y a d bo ted f an unreal independence That elf-con ci u ne s which mdepend n e c nf s th y could n t have and diplomatic tate men took the lead m the several tates orators who we e not at th sam time ge er ls as was the ca e for merly e g in th perso f Pericles The c un tries of Gree ow assume an us relat ons to t dif rent mona chs wh continued to co tend fo th sove eignty f the Gre k t tes— pa J lso for their f u especially for that of Athens for Athe s still p es ted an impo ng figure—if not as a powe yet certainly as the centre of th higher arts and c en s esp cially f philos phy and rhet ric Bes d s it kept it self mo e f ee f om the gr s e ess coarseness and pas ons whi h prevailed in the the tates and made th m o temptibl nd the Syrian and Egyptia king d m d t an hon ur to make Athens larg p sent f c rn and the useful supplies To som extent too the kings f the period reck ned it th greatest glory t rende and t keep the Greek t es and t tes independent The *m ncip t on f G ece* had as it w re becom the g ral w t hw d and t passed fo a hi h title f fam to be lled the *d li er f G eec* If w exami the hidden political bearing f this w d, we shall fi d that it denot s the prev ntion of any indigen us Greek tat f m btaining decided uperiority and keeping all in tat f weakness by para tion d d rganizati n

The special peculiarity by wh h ea h G eek state was distingui h d f m the others o ed in differen imil t that of the gl n us di nnit h f whom has his parti ular character and pecul b ing yet so that this pe uliarity does t d ogate f om the di nity mmon t ll When theref this di init ha bec m w k and has m h d f m th t es th g but the ba part cular y rema th epul pe ality whi h ob nat l d w w rdly sert ts lf d which on tha ery unt as um po ti f bso lut dependen a d f nflict with th s Yet th feeli g f w knes d misery led to c m b at ons h re and th The *Æt l ans* and t e lues as p dat ry peopl t p inj u lence fraud and insolen t thers as the charter of rights Sparta was governed by infamous tyrants and odious pass ons and in this condition was depe dent on the Mace donian kings The Bœotian subjecti e character had, after the extinctio of Theban glory sunk *down into* indolence and the vul ar des e of co se sensual e joyment The *Achæan* league

co d tion an infin te in olvement with the most manif ld *fore gn inte ests* a subtle intertextu e

other hand di ts its attention to fore gn lands and with tr achery to its nati e country begs f r the f ours f th ki gs—the point of *interest is* o l ge the fate of these states but the great *nd iduals* who arise am d the general corrup tio and h ourably d ote thems l es to thei

du e ur faults n th means of corr cting them And this is quite s ppl cable to th e last f th Greeks wh began an und rtaking which wa as h urable and n bl s it was ur f be g fru trat d Agis and Cleomenes Arat a d Philopœmen thus sunk under the strug l f th good f the r nat o Pl tarch k tches f us a hi hly charact rist c p ct e f the times in gi m us ep ese tation of the m portance f indi d al d ri g the conti uance

Th thi d peri d of the hi tory f the G e ks brings us to the c t t w th that peopl wh h was t play th next part on th thea re of the wo ld s hi t ry and the chi f use f th s conta t w s p etexts had prev usl bee

and b ke up d t last in th year 46 B C C ri th was d t oy d Looking t G eece as P lyb us describe it w ee how n bl nature

for so many years and to fight out at last the ancient feud and contest between the east and the west While in this struggle he retaliated upon the Oriental world what Greece had suffered from it he also made a return for the rudiments of culture which had been derived thence by spreading the maturity and culmination of that culture over the east and as it were changed the stamp of subjugated Asia and assimilated it to a Hellenic land The grandeur and the interest of this work were proportioned to his genius to his peculiar youthful individuality the like of which in so beautiful a form we have not seen a second time at the head of such an undertaking For not only were the genius of a commander the greatest spirit and consummate bravery *united in him* but all these qualities were dignified by the beauty of his character as a man and an individual Though his generals are devoted to him they had been the long tried servants of his father and this made his position difficult for his greatness and youth is a humiliation to them as inclined to regard themselves and the achievements of the past as a complete work so that while their envy as in Clitus case arose to blind rage Alexander also was excited to great violence

Alexander s expedition to Asia was at the same time a journey of discovery for it was he who first opened the Oriental world to the Europeans and penetrated into countries—as *e g* Bactria Sogdiana northern India—which have since been hardly visited by Europeans The arrangement of the march and not less the military genius displayed in the disposition of battles and in tactics generally will always remain an object of admiration He was great as a commander in battles wise in conducting marches and marshalling troops and the bravest soldier in the thick of the fight Even the death of Alexander which occurred at Babylon in the three and thirtieth year of his age gives us a beautiful spectacle of his greatness and shows in what relation he stood to his army for he takes leave of it with the perfect consciousness of his dignity

Alexander had the good fortune to die at the proper time *i e* it may be called good fortune but it is rather a necessity That he may stand before the eyes of posterity as a youth an early death must hurry him away Achilles as remarked above *begins* the Greek world and his antitype Alexander *concludes* it and these youths not only supply a picture of the fairest kind in their own persons but at the same time afford a complete and perfect type of Hellenic existence Alexander finished his work and completed his ideal and thus bequeathed to the world one of the noblest and most brilliant of visions which our poor reflections only serve to obscure For the great world historical form of Alexander the modern standard applied by recent historical philistines that of virtue or morality will by no means suffice And if it be alleged in depreciation of his merit that he had no successor and left behind no dynasty we may remark that the Greek kingdoms that arose in Asia after him are his dynasty For two years he was engaged in a campaign in Bactria which brought him into contact with the Massagetæ and Scythians and there arose the Græco-Bactrian kingdom which lasted for two centuries *Thence the Greeks came into connection with* India and even with China The Greek dominion spread itself over northern India and Sandracottus (Chandragupta) is mentioned as the first who emancipated himself from it The same name presents itself indeed among the Hindus but for reasons already stated we can place very little dependence upon such mention Other Greek kingdoms arose in Asia Minor in Armenia in Syria and Babylonia But Egypt especially among the kingdoms of the successors of Alexander became a great centre of science and art for a great number of its architectural works belong to the time of the Ptolemies as has been made out from the deciphered inscriptions Alexandria became the chief centre of commerce the point of union for eastern manners and tradition with western civilization Besides these the Macedonian kingdom that of Thrace stretching beyond the Danube that of Illyria and that of Epirus flourished under the sway of Greek princes

Alexander was also extraordinarily attached to the sciences and he is celebrated as next to Pericles the most liberal patron of the arts

Section III

THE FALL OF THE GREEK SPIRIT

This third period in the history of the Hellenic world which embraces the protracted development of the evil destiny of Greece interests us less Those who had been Alexander s general now assuming an independent appearance on the stage of history as kings carried on long wars with each other and experienced almost

THIRD PART

THE ROMAN WORLD

N poleo in c ersat n which he on e had with Goeth o th nature of tra edy e pres d the pin that ts modern pha dif fered f m th an ent thro gh ur no l g r re ognizing d stiny t whi h me are abs lute ly ubject d th t poli y occup s the pl ce f th anc ent f t This the f re he th u ht mu t be u ed the mod *rn f rm f de tiny* in trag dy th rresistibl pow of ci um tance to hi h ind duality mu t bend S h powe th *Rom w ld* ch n fo the rs purpo e f ca ting th m ral un t t b ds also f ll un ll de ties and all p rits t th pa theo f uni e sal domin in d r to m k o t of th m bstra t uni e l t of pow r Th dist t b tw th R m n d th P rsian pri c ple is ctly th s—th t the f rmer tuffes ll al t while th latte ll w d f ts xi t c th f llest m s e Th ugh be g th m of th t t that th ial unit i th m l l f h uld be sa ficed t t t e wo ld unk in m l h l t h t is b ke d t is ll e w th th tural s de f p t wh h ha unk int fe ling of un happ ess t ly f m th feeling ld ri e t superse th f p rit Chri ti ty I the G k p pl w ha en p ritual ex te in xh la t t h f ln d enj y t p t h d t y t d wn b ck to b ri t w t ll l d with th t tral l m t th os n rasy f di d als h h unt th rt f di duals themsel be m m l w k f rt Ab t t un rsal person l t h d t t ppe red f r p t mu t fi t d l p t lf t that f rm f b tract l t h h c d th e e d sciplin hum t w und o d rat H R m then find th t f uni sal ty that b t ct f d m which th h d t b tra t t t a p lit l constit t d po *on t* indi d uality th th d cre tes pe nality in oppos tion to th uni rsal t th inh t f ee dom f th *ab t t g* h ch must b distin gui hed from ind dual idio yncrasy F r per so l ty con titutes th fundamental conditio of *l gal ri ht* t appears chiefly in the category of p perty b t it i ind ff re t t the con rete chara t ri tics of the li ing p ri with which i di du l ty is co cerned. The e two eleme ts whi h onstit te R me—pol t cal uni e sal t n the o e hand and the bst act f eedom f the indi idual on the other—appea in the first sta ce in the f rm of ubject vit Th s b ject t this r t e t ng int o s self which w ob rved s the corrupt on of the G k

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hist ric l l me t i t the *ab t ctu* of uni rsal ty a d the obj ct wh ch pursued th soulles and h tless eve ity s me e *d m on* in d r to enf ce that *ab t ct m*

In G e *d moc cy* was the fundame tal co dit n f polit cal l fe as in th e t *de p t ism* h w ha e *aristoc a y* f a rigid d r in a t te of oppo ti t th peopl I *Greece* ls th dem y was e t a under but ly i th way f fact ons in R m t is p inc ples th t keep the enti e ommun ty in a di d d t te—th y upy h tile po tion towards and t ug l w th each other first the a t cr cy w th th kings th the pl bs with the arist c acy till democracy g ts the upper hand then fi t ri f t in which rigin ted that lat r rist racy f c mma di g di dual wh h bj g t d th wo ld. It is this duali m th t p pe ly peaki g m ks Romes nmo t be g

Erudit n h eg d d the R m n h tory f m a point f e nd ha adopt d ery d ff e t d ppo g pinio th espe lly th w th th mo c ent part f the hi t ry whi h has bee t ken up by th e diffe t l s *f l t t*—h t ri s philol gi ts d j ts Th h t rians h ld to the gr d f tur and h w e pect fo the h tory

such as his has nothing left for it but to despair at the state of affairs and to retreat into philosophy or if it attempts to act can only die in the struggle In deadly contraposition to the multiform variety of passion which Greece presents —that distr cted condition which whelms good and evil in one common ruin—stands a blind fate an iron power ready to how up that degraded condition in all its weakness and to dash it to pieces in miserable ruin for cure amendment and con olation are impossible And this crushing destiny is the *Roman power*

noble P lyb us The Roman Empi e now ac m red that world-co q ering exten on which

tory shepherds recei ed every contribution to h m (Lavy

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doma n rece s a great e ten on The th d period compri es the c tact of Rome with the orth and the German p ples whose turn is now om to play the part history

enter into no conn b a stances characterize it as p edatory unio with wh ch the other st tes wished to ha e n con ec tion They lso refused the invitat on to the r relig us f st als a d only the S bines—a sim ple agr cultural people amon wh m, as Li y e t in a superst tio

Section I

ROME TO THE TIME OF THE SECOND PUNIC WAR

Chapter 1 *The Eleme ts of the Roman Sp it*

Bef e w come t the Roman history we ha e to con der the *el ments f th R man spirit* in general, and mentio and in estigate the gin of Rome with a refe en to them Rome aros *outside r cogn d countri* tr in an a where three diff e t districts met—those f the Latins Sabine and Etruscans t was n t f rmed fr m some ancient tem nnected by n tral patriarchal bonds whose origin might be tra ed up to emot times (as seems t ha e been th case with the Persians wh h wever even then ruled lare empi) but Rome was f om the ery beginning f artificial and lent ot spontaneous growth. It is lated that the descendants of the T jans led by Æneas to La y founded Rome f th connection with Asia was a m h cheri ed tradition and there a in Ital France and Germany tse f (Xan-ten) man towns w ch f their rigin, or their names to the fugitive T jan Li y speaks the an ient t bes f Rome the Ramnenses Titienses and Luceres. Now f we look pon these as d tinct nations and assert that they wer eally t ements f om which Rom was f rmed ew which in recent times has ery o ten striven to obtain currency w directly ubvert the his ical tradition All the ccounts agree th an earl period, shepherds under the leadership f cu fains o ed bout on the h s f Rom that the first Roman community const ed itself p edatory ate and that it was with difficulty tha the sca ered inhabitants of the vicinity were thus united Th details f these circumstances a also given. Those preda

torical f ct. This circumstanc its lf invol es a very charact ri tic featu e t that religio is used as a means for furthering the purposes of the infant stat Another method of extension was the co eying t Rome of the inhab tants of neighboring and co que ed towns At a later dat th re was als a voluntary migrati of f eign rs to Rom as in the case of th so

He betook himself to Rome says Li y because a *ew peop e and a epent a ctq ex tirt te obs tas* were to be f und th Lucumo t tain d, we t ld, uch a degree of respect th he fterwa ds became king.

It is this peculiari y in the founding of th state which must be egard d as the essential basis of the idiosyncrasy f Rome F r it di rectly inv l es the severest dis p n and self sacrifice to the grand object of the union. A state which had first to f rm self and whi h is based on force must be h ld together by force. It is not a m ral, liberal onnection, but a ompulsory ondition f subo dination, that results f om such an origin. The Roman *virt* is valour n t however the mer l personal, bu that which is essentially connected wi h a union f associates whi h union is regarded as the supreme interest and may be combined with lawless vi ence f all kinds While the Romans *formed* unio f this kind, they wer not in deed, lik the La edæmonians engaged in an

as such so that we may after all see our way best under their guidance since they allow the validity of the record in the case of leading events It is otherwise with the philologists by whom generally received traditions are less regarded and who devote more attention to small details which can be combined in various ways These combinations gain a footing first as historical hypotheses but soon after as established facts To the same degree as the philologists in their department have the jurists in th ... of Ro man l w ... invol ... result ... ncient part of Roman history has been declared to be nothing but fable so that this department of inquiry is brought entirely within the province of learned criticism which always finds the most to do where the least is to be got for the labour While on the one side the poetry and the myths of the Greeks are said to contain profound historical truths and are thus transmuted into history the Romans on the contrary have myths and poetical views affiliated upon them and epopees are affirmed to be at the basis of what has been hitherto taken for prosaic and historical

With these preliminary remarks we proceed to describe the *locality*

The Roman world has its centre in Italy which is extremely similar to Greece and like it forms a peninsula only not so deeply indented Within this country the city of Rome itself formed the centre of the centre Napoleon in his memoirs takes up the question which city—if Italy were independent and formed a totality—would be best adapted for its capital Rome Venice and Milan may put forward claims to the honour but it is immediately evident that none of these cities would supply a centre Northern Italy constitutes a basin of the river Po and is quite distinct from the body of the peninsula Venice is connected only with higher Italy not with the south Rome on the other hand would perhaps be naturally a centre for middle and lower Italy but only artificially and violently for those lands which were subjected to it in higher Italy The Roman state rests geographically as well as historically on the element of force

The locality of Italy then presents no natural unity—as the valley of the Nile the unity was similar to that which Macedonia by its sovereignty gave to Greece though Italy wanted that permeation by one spirit which Greece possessed through equality of culture for it was inhabited by very various races Niebuhr has prefaced his Roman history by a profoundly erudite treatise on the peoples of Italy but from which no connection between them and the Roman history is visible In fact Niebuhr's *History* can only be regarded as a *criticism* of Roman history for it consists of a series of treatises which by no means possess the unity of history

We observed subjective inwardness as the general principle of the Roman world The course of Roman history therefore involves the expansion of undeveloped subjectivity inward conviction of existence to the visibility of the real world The principle of subjective inwardness receives positive application in the first place only from without through the particular volition of the sovereignty the government etc The development consists in the purification of inwardness to abstract personality which gives itself reality in the existence of private property the mutually repellent social units can then be held together only by despotic power The general course of the Roman world may be defined as this the transition from the inner sanctum of subjectivity to its direct opposite The development is here not of the same kind as that in Greece—the unfolding and expanding of its own substance on the part of the principle but it is the transition to its opposite which latter does not appear as an element of corruption but is demanded and posited by the principle itself

As to the particular sections of the Roman history the common division is that into the monarchy the republic and the empire—as if in these forms different principles made their appearance but the same principle that of the Roman spirit underlies their development In our division we must rather keep in view the course of history generally The annals of every world historical people were divided above into three periods and this statement must prove itself true in this case also *The first period* comprehends the rudiments of Rome in which the elements which are essentially opposed still repose in calm unity until the contrarieties have acquired strength and the unity of the state becomes a powerful one through that antithetical condition having been produced and maintained within it In this vigorous condition the state directs its forces outward i e in the *second period* and makes its debut on the theatre of general history this is the noblest period of Rome the Punic War and the contact with the antecedent world historical people A wider stage is opened towards the east the history at the epoch of this contact has been treated by the

noble Pol)b us The Roman Emp re now ac q ured that wo ld-conquering extens on which ra ed the way for its fall. I ternal di traction

d mino rece es gr at extens o The thi d pe od c mprises th c tact of Rome with the orth and the Germa peoples whose turn is n w come to play the part n history

Section I

ROME TO THE TIME OF THE SECO D PU IC W AR

Ch pter 1 *The Elemerts of the Roman Sp it*

Bef e we c me t the Roma hi tory we ha e to con der the *lements f th Roma pir* in ge eral, and mentio and in est g te the origin of R me with a refe en e to them Rome a ose *o tsid r cogni d countri* ri in an a le wher three diff ent di tri t met—those of the Latins Sab es a d Etruscans t was n t f rmed f m s me anci t st m c nn cted by natural patri hal b ds whose rigin might b tra ed up t remote times (as eems to h e been the case with the Pers who h wever even the *ruled a la g emp re*) b t R me wa f om th ry beginni f rt ficial nd lent t po taneo s gr th. It is l ted that the des endants f the T jans l d by Æ ea to It ly f unded R m fo the nn ct with A ia was m h h ri h d traditi d there ar in Italy Fran and G rman itself (Xan ten) many t wn hi h f th ir rigin o th nam t th fugiti T jans Li y peaks of the an t tribes f R me th Ramn nses T t es and L es. N w f we look upon these as di tin t nat and as rt that they were eady th lem nts f m which R me was f rm d, ew whi h in t times has v ry ften tri en to obtain c rrency w di ctly ch rt th hi t rical traditi n. All hi torians agree that t arly per od, hephe ds und r

tory shephe ds rece ved e ery contribution to their community that cho e to jo n them (Li y ll it a *collu es*) The rabble of all the three

d ted t make t a

tes circumstan es ar lso gi en. Thos preda

enter nto no *co nub a* stance characterize it as predatory un on with which th other stat s wished *to have no connec*tion The also efused the in itatio to the r religious festi als and only the Sabines—a s m ple agr cultural people among whom, as Livy says p e ailed a *trist s atq e tetrica superstit o*—partly from superstit on partly from fear pre ent d them el es at them. The seizure of the Sab ne w me i also a uni ersally received his-

neighboring and conquered towns At a later dat there was also a voluntary migration f f e gn rs to Rome as in the case of the s

a *new* p opl and *pent a tque x t t b7 tas* were t be found there Lucum at tained w a e told, u h d gree of re pect that h ft rwards b came king

It is this p culiarity in the founding of the state which must b rega d d as the e enti l basis of the diosyn ra y f R me For it di rectly in ol es the s verest disciplin and self sacrifi e to the grand object of the union. A state which had first t f rm ts lf d which is bas d fo must be held to ethe by force It is not a m ral liberal c nnect n b t a ompuls ry c diti f s b dination that esults f m su h an origin. Th Roman *virtu s* is al ur not h w e the me ely pers l but that which is es entially onnected with a un *of associates* which uni n is rega d d as the sup em int est and may b c mb ed with lawl len e f all kinds While the R ma s formed unio f this kind they wer not deed, lik th Lacedæm nians engaged in an

internal contest with a conquered and subjugated people but there arose a distinction and a struggle between *patricians* and *plebeians* This distinction was mythically adumbrated in the hostile brothers Romulus and Remus Remus was buried on the Aventine mount this is consecrated to the evil genii and to it are directed the secessions of the plebs The question comes then how this distinction originated? It has been already said that Rome was formed by robber herdsmen and the concourse of rabble of all sorts At a later date the inhabitants of captured and destroyed towns were also conveyed thither The weaker the poorer the later additions of population are naturally underrated by and in a condition of dependence upon those who originally founded the state and those who were distinguished by valour and also by wealth It is not necessary therefore to take refu e in a hypothesis which has recently been a favourite one—that the patricians formed a particular race

The dependence of the plebeians on the patricians is often represented as a perfectly legal relation—indeed even a sacred one ince the patricians had the *sacra* in their hands while the plebs would have been godless as it were without them The plebeians left to the patricians their hypocritical stuff (*ad decipiendam plebem* Cicero) and cared nothing for their *sacra* and auguries but in disjoining political rights from these ritual ob ervances and making good their claim to those rights they were no more guilty of a presumptuou sacrilege than the Protestants when they emancipated the political power of the state and asserted the freedom of conscience The light in which as previously stated we must regard the relation of the patricians and plebeians is that those who were poor and consequently helpless were compelled to attach themselves to the richer and more re pectable and to eek for their *patrocin um* in this relation of protection on the part of the more wealthy the protected are called *clientes* But we find very soon a fresh distinction between the plebs and the *clientes* In the contentions between the patricians and the plebeians the *clientes* held to their *patroni* though belonging to the plebs as decidedly as any class That this relation of the *cl entes* had not the

graduall vanish d for as soon as individuals found protection in the l w the temporary ne ce sity for it could not but cease

In the first predatory period of the state every citizen was nece sarily a soldier for the state was based on war this burden was oppressive since every citizen was obliged to mai tain himself in the field This circum tance therefore gave rise to the contracting of enormous debts—the patricians becoming the creditors of the plebeians With the introduction of laws this arbitrary relation necessarily cea ed but only gradually for the patricians were far from being immediately inclined to release the pleb from the cliental relation they rather strove to render it permanent The laws of the Twelve Tables still contained much that was undefined very much was still left to the arbitrary will of the jud e the patricians alone being jud es the antithesis therefore between patrician and plebeians continues till a much later period. Only by degrees do the plebeians scale all the hei hts of official station and attain those privileges which formerly belonged to the patricians alone

In the life of the Greeks althou h it did not any more than that of the Romans originate in the patriarchal relation family love and the family tie appeared at its very commencement and the peaceful aim of their social exi tence had for its necessary condition the extirpation of freebooters both by sea and land The founders of Rome on the contrary—Romulus and Remus—are according to the tradition th m selves freebooters—represented as from their earliest days thrust out from the family and as having grown up in a state of isolation from family affection In like manner the first Romans are said to have got their wives not by free courtship and reciprocated inclination but by force This commencement of the Roman l fe in savage rudeness excluding the sensibilitie of natural morality brings with it one characteristic element—harshness in re pect to the family relation a selfish harshness which constituted the fundamental condition of Roman manners and laws as we ob erve them in the equel We thus find family relations among the Romans not as a beautiful free relation of love and feeling the place of confidence is usurped by the principle of severity dependence and subordination Marriage in its strict and formal shape bore quite the a pect of a mere contract the wife was part of the husband s property (*in manum conventio*) and the marriage ceremony was ba ed on a *coemptio* in a form uch as might have been adopted on the occa ion of any other purchase The hu b nd acquired a power over his ife such as he had over his

n onert that

gous c emon —conforre t o—b t which omitted at later period. Th husband obtained c les pow tha b the co mp io whe h married accordin to the form call d sus that is, w en the wife emained in t e house f her husband with ut ha ing been ab ent a tri c tum m ear It th husband had no married more f the f rms f th m m cor en o the wif remained her in th powe of h r f er o under th guard p of h agna s and was free as regarded h r husband. The R ma ma n, t r f re obtai ed h our and dignit only thro gh ind pe den e of he husband . e d f quiring her ho our thr ugh

dismissed he witho t furt e ce emo There h on f so was pe fectly im lar they we on t e hand, about as d pende t n the pa ernal powe as th wife the ma rimonial they could ot possess propert t made n dif f rence h r they filled a high ffi e in the (th ugh th pe cast ensia and w e d. eren ly rega ded) but t er hand whe they w ema pa ed, they had connectio wi h th ir f th a d th ir famil An ev dence f the degree in w h the pos tion of children wa regarded as analogous to tha f la es is pre ent d in th m ... as (m ...) thr ugh whi h emancipa ed hildre had to pa I f ence to inheritance m rality w uld eem t demand t children d are equall Am g the Romans th rs testament ry capri e manifes t. lf harshest f rm

Thus pervert d and d m ralized, d w h re see th fundamental relations f ethics The ... f th R mans in thus priva e d f hara t eces. ril finds t ... in th pa ... f the polit cal union F ... t w h the R ma experien ed f m th t he was c mpensat d by ... den al in natur whi h he was all wed t indulge t wa ds h f m l — serv ... th e d despo th h r This ... es th R man greatnes whose peculiar characteristic was tern infl xibilit in th unit f individuals th th ta and w th ts law and mandate. I d t b in ea w f t spirit, w must n t m rely keep in ew

the actions of Roman heroes confronti g the enem as oldi rs o generals or a pearing as ambassadors—s ce in the e cases they bel ng with th wh le mi d and th ught onl to the state and it mandate with t hes tatio or ld — bu pa particular attention also to the co duct f the pleb in times of rev l ainst the patric a How often in insurrection and in anarch cal disord r was the plebs brou h

ne ther war no da ger fr m an nemy in ord r to g t the pl beians into the army d t bind them to trict obedience by the milit ry oath! It too Licin u te ear to carry l ws favo r abl to the pl bs the latte allowed t elf to be kept back b the m re f rm lit of the e o en the part f o he tribunes and t ll more pat ent ly did t wa fo the long-d la ed execu of these laws It ma be ked b what were uch a dispo on and haracter p oduced Produ ed it cann t be but it is essentiall latent in the

rel pment. The element f the R man pe p e w e Etruscan, Latin and Sabine these must ha e c tained an inborn at ral daptat on t prod the R man sp rit Of the p rit the character and th life of the a c ent It lian peoples we know rs little—thank to the n int ligent haracter f R man h toriography —and that little f the mo t part f m the Greek writers o R man hi ory In c tra t with that primeval wild poetry a d tran mut ti n of th finite whi h w bs rve in the eas in contra t with th bea tiful harmo us poetry and well-balan ed freedom of sp ri mong the G eeks f th ge eral chara t r of the Romans we may sa that the pr s f lite makes its appearan e—th elf-c ... of finiteness th ab tracti f the understa ding d rigo us principl of pers nality which even in th famil does t xpa d self t at ral moral t but emain th unfeeling n spir tual un t d ec enizes th unitin bo d f the ev ral social units nly in bstract uni e sality

This extrem prose f th sp rit w find n Etrus an art whi h though t chnically perfect d so far tru t nat has n hi g f Greek d l t and bea ty w lso ob erve t in the dev l pm t of R man law and in the R man eligi n.

To the constrained non spiritual and unfeeling intelligence of the Roman world we owe the origin and the development of *positive law* For we saw above how in the east relations in their very nature belonging to the sphere of outward or inward morality were made legal mandate even among the Greeks morality was at the same time juristic right and on that very account the constitution was entirely dependent on morals and disposition and had not yet a fixity of principle within it to counterbalance the mutability of men s inner life and individual subjectivity The Romans then completed this important separation and discovered a principle of right which is external i e one not dependent on disposition and sentiment While they have thus bestowed upon us a valuable gift in point of *form* we can use and enjoy it without becoming victims to that sterile understanding—without regarding it as the *ne plus ultra* of wisdom and reason They were its victims living beneath its sway but they thereby secured for others freedom of spirit vi that inward freedom which has consequently become emancipated from the sphere of the limited and the external Spirit soul disposition religion have now no longer to fear being involved with that abstract juristical understanding Art too has its external side when in art the mechanical side has been brought to perfection free art can arise and display itself But those must be pitied who k f

real as the highest

We see the Romans thus bound up in that abstract understanding which pertains to finiteness This is their highest characteristic consequently also their highest consciousness in religion In fact constraint was the religion of the Romans among the Greeks on the contrary it was the cheerfulness of free fantasy We are accustomed to regard Greek and Roman religion as the same and use the names Jupiter Minerva

or less introduced among the Romans but as the Egyptian religion is by no means to be regarded as identical with the Greek merely because Herodotus and the Greeks form to themselves an idea of the Egyptian divinities under the names Latona Pallas etc so neither

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relation borne to man by nature a relation of freedom and cheerfulness The Romans on the contrary remained

which thus remained involved in subjectivity came into a relation of constraint and dependence to which the origin of the word *religio* (*lig are*) points The Roman had always to do with something *secret* in everything he believed in and sought for something *concealed* and while in the Greek religion everything is open and clear present to sense and contemplation—not pertaining to a future world but something friendly and of this world—among the Romans everything exhibits itself as mysterious duplicate they saw in the object first itself and then that which lies concealed in it their history is pervaded by this duplicate mode of viewing phenomena The city of Rome had besides its proper name another secret one known only to a few It is believed by some to have been *Valentia* the Latin translation of *Roma* others think it was *Amor* (*Roma* read backwards) Romulus the founder of the state had also another a sacred name—*Quirinus*—by which title he was worshipped the Romans too were also called *Quirites* (This name is connected with the term *curia* in tracing its etymology the name of the Sabine town *Cures* has been had recourse to)

Among the Romans the religious thrill of awe remained undeveloped it was shut up to the mere subjective certainty of its own existence Consciousness has therefore given itself no spiritual objectivity—has not elevated itself to the theoretical contemplation of the eternally divine nature and to freedom in that contemplation it has gained no religious substantiality for itself from pirit The bare subjectivity of conscience is characteristic of the Roman in all that he does and undertakes—in his covenants political relations obligations family relations etc and all these relations receive thereby not merely a legal sanction but as it were a solemnity analogous to that of an oath The infinite number of ceremonies at the com tia on as uming offices etc are expressions and declarations that concern this firm bond Everywhere the *sacra* play a very important part Transactions naturally the most alien to constraint became a *sacrum* and were petrified as it were into that

T this category belo gs e g in strict mar nages th *confarreat* and the augur es and ausp ces generally The knowledge f these *acra* d w n ome afford

kings w e at th same time lso *reges s crorum* Aft r the royal dign ty had b e d e away with th e still emain d *x s crorum* b t he like

so l g

But the es ntial p t in p us feeli g s the subject matter with wh h t o cup es tself though t is ften asserted on the tr y in mod rn times th t f p o f l gs exist t is a m tt r f indif en what bj t ccup e them It h b l eady em ked of the Romans that th r ligi us bjectivity did n t expand int a f ee sp rit l a d mor l omp hen eness of b g It n be sa d that the r p ety did n t d lop ts lf t eligio for it emai ed ent lly formal, and th f rmalism took its l s d from anothe qua te F m the ry defi ti g t f ll ws that t can only be of a fi te unh llowed o de s c t e out d th et s tum f l gi Th chief characteri ti f R m ligi i th f a hard and dry c t mplat on of c rtain lun tary ims which they ega d a exi t g b l t ly in the di t e d wh mpli hment they des f them mbodying absolute po e Th s p rpo es c t tute that fo th sake f whi h they w rship the g ds d by whi h in a tra d limit d w y they e bound to th de t Th R m eligion is theref e th ent ly *p osaic* e of narrow asp rat ns expedi y p fit The divin t es peculia to them enti ely p sa th y a ond.ti ns t o s useful rts t whi h th dry fancy h ing levated them t ind pendent powe ga bj ctivity they re partly abstract ons which could only become frigid allegories—partly conditions of be which appear as bringing ad a tage or injury and which were p esented as objects of worship in their original ba e and limited form We can but br fly notice a few examples The Romans wor sh pped Pax Tranquillitas Vacuna (R pose) Ange on a (Sorrow and Grief) as di n ties they consecrated altars to the Plague to Hunger to M ld w (Rob go) to Fever and to the Dea Cloacina Juno appears am ng the Romans not merely as L cina the obstetric goddess b t also as Juno O sip gina the di nity who forms the bo es of the child and as Juno Unxia who an ints the hinges of the doors at marria es (a matter which was also reckoned among the *sacra*) How littl ha e these p osaic concep t o s in common w th the beauty of the sp ritual

C k O h h

Fort na Publica

It was th Romans especially who introduced the p ctice of not merely supplicating the g ds in time of need and celebrat g *lectist rnia* but

most of th Roman temples thus arose f m neces ty—f om a w of some ki d and an obligat ry not disinterested acknowledgment of f s The Gr eks on the contr ry e ected d inst tuted th r beautiful temples and stat ues and rites f om lo e to be uty and di in ty f thei own sake

O ly o e s d f the R ma r ligion exhib ts s m thing tt ctive and that is the festi als which be r a relat on to country life and who e ob rv wa t m tt d f m the e l est times The idea of the *Saturni* t me pa tly th bas the ception of a state of things a tecedent t a d beyo d the lim ts f civil c ety d political comb t but the r im port s partly tak f m n t e g ally—the sun, th c rs of the yea th sea o m th etc (with astr mical intimat ns)—pa tly from the pa t l spects f the cour of na

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to something spiritual—to a free conception a piritual form of fancy—that the Greek spirit did not remain in the condition of inward fear but proceeded to make the relation borne to man by nature a relation of freedom and cheer

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does not exist therefo e a ubstantial nat onal unity not that beaut ful and m ral neces ity of united life in the polis but e ery *gens* is tself firm stem having its own *p nates and sacra* wh ch it

ha o th oth hand the revo t l a h ce against relig n Fo the ame order of things can, o the ne s de be r d d as pri ileged by ts religious form and o the other s d wear th aspect of being m rely a matter f ch ce—of b trary olit n the part of man. When the tim was come for it to be de grad d to the rank of m re form it was neces sarily kn wn and treated as a form trodden un *de foot epresent d f rm lism*

The inequality wh ch ent rs into th domain f sac ed thing form the trans tio f om re ligion t the b e reality of political l fe The onsecrat d inequality f will and of pri ate p operty constitutes the fundamental c dition f the hange. The R ma principle dmits f *en tocra y* lo as the onstitutio p pe to t, but which d tly ma fests itself only in an antith tic l f rm—intern l equality Only from ec t and th p essur of d erse cir cumstan es is thi co t di t m m tanl moothed f t m l a duplicate po th t rn d mal lent t l tion of wh ompo ts can ly b m t d and bound t geth b t ll g t t m es int un t m t m d bs f e

Chapter 2 *The H sto y of Rome t th Seco d P nic W ar*

I th first peri d e l e tages dis play th cha t t t Th Roma tat h xhib t ts first pha f gr wth un d kings then t re es ep blica nstitu- t t wh h d tand uls Th truggl between patri ans and pl b an begins and ft this h been t t e t by the es on f h pleb ia d ma ds ther ensues t t of tentment the intern l ff irs f R m and t qu es t ngth t mbat t ri usly w th th nat that p ec ded t th tag f gen l h t rs A gards the c t f the first

R m kings every datum has met with flat m h t is

f bul us they only contain ... ance w th the Roman spi it as above de cribed. To the second king Numa is ascr bed the ntro- du ti n of the religious c r mon es This trait is ery emarkable from its implying that rel gion was int oduced later than polit cal un o while among other peoples reli ous traditions make the r ppearance in the remotest periods and be fo all ci l institutions The king was at the same time a priest (*ex* is referred by etymolo- h ense ith

l

sacra

The separation of the dist ngu hed and pow

ligi n arb trary ceremonies—th *sacra*—beca e fixed marks f disti ct n and peculiariti s of the *gent* and o de The internal rg nizatio f the state w gradu lly ealized. Li y says that as N ma est blish d ll di ne matters s

they ted by centuri th class first in rank had als the greatest w ight in the st te It p pears that p e usly the patri ians had the pow r ex l ly in their hands b t that afte S rv us di th y bad m rely a prep nd an which xplains th r dis tent with his institut n W th Serv us the history be m m dist t a d und h m a d hi p ed ces- s th ld r T q n u trace of p o perty

deeper views of the great powers of nature and their generic processes are not deducible from them for they are entirely directed to external vulgar advantage and the merriment they occasioned degenerated into a buffoonery unrelieved by intellect While among the Greeks their tragic art developed itself from similar rudiments it is on the other hand remarkable that among the Romans the scurrilous dances and songs connected with the rural festivals were kept up till the latest periods without any advance from this naive but rude form to any thing really artistic

It has already been said that the Romans adopted the *Greek* gods (the mythology of the Roman poets is entirely derived from the

talk of Jupiter Juno Minerva sounds like a mere theatrical mention of them The Greeks *made their Pantheon* the embodiment of a rich intellectual material and adorned it with bright fancies it was to them an object calling forth continual invention and exciting thoughtful reflection and an extensive nay inexhaustible treasure has thus been created for sentiment feeling and thou ht in their mythology The pirit of the Romans did not indulge and delight itself in that play of a thoughtful fancy the Greek mythology appears lifeless and exotic in their hands Among the Roman poets especially Virgil the introduction of the gods is the product of a frigid understanding and of imitation The gods are used in these poems as machinery and in a merely superficial way regarded much in the same way as in our didactic treatises on the belles lettres where among other directions we find one relating to the use of such machinery in epics—in order to produce astonishment

The Romans were as essentially different from the Greeks in respect to their public *games* In these the Romans were properly peaking only spectators The mimetic and theatrical representation the dancing foot racing and wres

stage as a singer lyrı t and combatant As the Romans were only pectators these diversions were something foreign to them they did not enter into them with their whole souls With increasing luxury the taste for the baiting of beasts and men became particularly keen Hundred of be rs lions tigers elephants crocodiles and ostriches were produced and slau h tered for mere amusement A body consi ti g of hundred nay thousand of gladiators when entering the amphitheatre at a certain festival to engage in a sham sea fight addres ed the emperor with the words Tho e who are devo ed to death salute thee to excite ome compassion In vain! the whole were devoted to mutual slaughter In place of human sufferings in the depths of the soul and pirit occasioned by the contradictions of life and which find their solution in destiny the Romans in tituted a cruel reality of corporeal sufferings blood in treams the rattle in the throat which ignals death and the expiring gasp were the scenes that deli hted them

This cold negativity of naked murder exhibits at the same time that murder of all piritual objective aim which had taken place in the soul I need only mention in addition the auguries auspices and Sibylline Books to remind you how fettered the Romans were by super titions of all kinds and that they pursued exclusively their own aims in all the observances in question The entrails of beasts flashes of lightning the fi ght of birds the Sibylline dicta determined the administration and projects of the state All thi was in the hands of the patricians who consciously mad use of it as a mere outward mean of constraint to further their own ends and oppress the people

The di tinct elements of Roman religion are according to what has been said ubjective religiosity and a ritualism having for its object purely superficial external aims Secular aims are left entirely free instead of being limited by religion—in fact they are rather justified by it The Romans are invariably pious whatever may be the substantial character of their actions But as the sacred principle here is nothing but an empty form it is exactly of uch a kind that it can be an in trument in the power of the devotee it is taken possession of by the individual who seeks his private objects and interests whereas the truly divine po es e on the contrary a concrete power in it elf Bu where there is only a powerless form the individual—the will pos essing an independent concreteness able to make that form its own and render it subservient to its views—stands above it This happened in Rome on the part of the patricians The pos ession of sovereignty by the patricians is thereby made firm sacred incommunicable peculiar the admini tration of g v ernment and political privileges recei e the character of hallo ed private property There

e h d taken p ce earlier the state would h ve rmed d solution. What would ha e happened be a f t us hom less cr wd had been formed ear er when living together h d n t re produced mutual co cilation of disposi ion. The consti ution n w became in n re res ect an If we loo t th m ter more close ly it is eviden (Liv y n) th t n o her es sen ial change took plac th n t transference f t power which was prev u pe manent n the kin t two annual consuls These two equal in power managed military and judicial as well as administrative business for praetors as supreme j dges d n appear till a la er date.

A first all union remained in the hands of the consuls and at the beginning o th republic

externally and internally the st t was in evil p ht. In t Roman h ry a period oc curs as troubled as that in t Greek whi h fol lowed t extinction of the dynasties The Romans h first t sustain sev e nflict with the expelled king w o h d t and found help from the Etruscans In the war against Porsena the Romans lost all their conquests and even their independence they were com pelled t h down their arms and to g hos tages according t an expression of Tacitus (H ii) it seems as if Porsena had even taken Rom Soon ft th expulsion of the kings we h e th con est between the pa ri cians and plebeians f the bo n f royalty has taken place exclusively t the advantage f the aris ocracy to which the ro al power was transferred, while the plebs los the protection which the kings had orded r All magisterial and juridical power and all proper in land, was at this time in t hands f t patricians wh the peopl continually dragged out to war ould ot em oy themsel es in pea ful occupations handicrafts ud fruit and the only qu on t plebeians ould make is their re in t booty The patricians had their terr ory and soil cu ed by s es and al owed some f their land t their clients who on condi on f paying taxes and tributions —as tenants ce reef re h t usu fruct f r This al on cou f t f rm in which the dues were paid by th clien was ery sim t i ular they were obliged to m co butions towards the marriage f the daughters f the p ons to ransom him his sons when ta en ca tive y as i t them in bt ing mag erial ff es and ak up the losses ed in suits t law The administration f j was likewise in the hands of the patri cians and that without the limitations of defi nite and written laws— des deratum which at a later period the decemvirs were created to supply All the power f government belonged moreo er to the patricians for they were in possessi n of all offices—first of the consul ship fterwards f t military trib eship nd censorship (instit d A.U.C. 3 1)—by which the actual administr tion f government as like wi th o ersi t of t was left to them alone Lastl t was the patricians w o com sed the senate The question as t how that body was recruited appears ery importa But in this ma ter no sys ematic p n was foll wed. Romulus is said to ha e f unded t senate consisting then of one hundred members the succeeding kings increased t number and Tarquinius Priscus fixed t three hund. d. Junius Brutus restored the senate which had very much fallen away de o In fter times it w d appear tha the censors d sometimes the dictators filled up th vaca t places in the enate. In the Second Puni War A.U.C. 3S a dictator was chosen, who minated o e hundred and seven y seven new sen ors h selected those w o had been invested with curule dignities the plebeian aediles tribunes f t peopl and quaestors citizens who h d gained s lia opima or t corona c ca Under Caesar th number the sena ors was raised to eight hundred Au gus reduced t six hundred. I has been e garded as great egligence on th part of th Roman hi orians that they giv us li tle

Romans large they did n t ch o much weight to formal arrangemen for their prin cipal con ern was how the governmen was con ducted. How in f ct can we uppos h con stitutional rights of the ancient R m t ha e been so w ll d ed, and that t time which is even regarded as mythical and its traditionary history as epical

The people were in some uch oppressed condition as g th Irish were a few years ag in the Brit sh I es whil they remained a the sam t entirely excluded f om the govern ment. Often they revo ed and made seces on f m the city Sometimes they also f sed mili tary service e w s emains ers tak ing f ct th t the senate ould so long exist superior umbers irritated by grievances and practised in war f the main truggl lasted fo m re than hundred years. In the f ct that

are exhibited Niebuhr is surprised that according to Dionysius and Livy the most ancient constitution was democratic inasmuch as the vote of every citizen had equal weight in the assembly *of the people But Livy only says that* Servius abolished the *suffragium viritim* Now in the *comitia curiata*—the cliental relation which absorbed the plebs extending to all—the patricians alone had a vote and *populus* denoted at that time only the patricians Dionysius therefore does not contradict himself when he says that the constitution according to the laws of Romulus was strictly aristocratic

Almost all the kings were foreigners a circumstance very characteristic of the origin of Rome Numa who succeeded the founder of Rome was according to the tradition one of the Sabines—a people which under the reign of Romulus led by Tatius is said to have settled on one of the Roman hills At a later date however the Sabine country appears as a region entirely separated from the Roman state *Numa* was followed by *Tullus Hostilius* and the very name of this king points to his foreign origin *Ancus Martius* the fourth king was the grandson of Numa *Tarquinius Priscus* sprang from a Corinthian family as we had occasion to observe above *Servius Tullius* was from Corniculum a conquered Latin town *Tarquinius Superbus* was descended from the elder Tarquinius Under this last king Rome reached a high degree of prosperity even at so early a period as this *a commercial treaty is said to have been* concluded with the Carthaginians and to be disposed to reject this as mythical would imply *forgetfulness of the connection* which Rome had even at that time with the Etrurians and other borderin peoples whose prosperity depended on trade and maritime pursuits The Romans were probably even then acquainted with the art of writing and already possessed that clear si hted comprehension which was their remarkable characteristic and which led to that perspicuous historical composition for which they are famous

In the growth of the inner life of the state the power of the patricians had been much reduced and the kings often courted the support of the people as we ee was frequently the case in the mediæval history of Europe in order to steal a march upon the patricians We have already observed this in Serviu Tullius The last king Tarquinius Superbus consulted the enate but little in state affairs he also neglected to supply the place of its deceased members and acted in every respect as if he aimed at its utter dissolution Then ensued a state of political excitement *which only needed an occasion to break* out into open revolt An insult to the honour of a matron—the invasion of that *sanctum sanctorum*—by the son of the king supplied such an occasion The kings were banished in the year 244 of the city and 510 of the Christian Era (that is if the building of Rome is to be dated 753 B C) and the royal dignity abolished for ever

The kings were expelled by the patricians not by the plebeians if therefore the patricians are to be regarded as possessed of divine right as being a acred race it is worthy of note that we find them here contravening such legitimation *for the king was their high priest We observe* on this occasion with what dignity the sanctity of marriage was invested in the eyes of the Romans The principle of subjectivity and piety (*pudor*) was with them the religious and guarded element and its violation becomes the occasion of the expulsion of the kings and later on of the decemvirs too We find monogamy therefore also looked upon by the Romans as an understood thing It was not introduced by an express law we have nothing but an incidental testimony in the institutes where it is said that marriages under certain conditions of relationship are not allowable because a man may not have two wives It is not until the reign of Diocletian that we find a law expressly determining that no one belonging to the Roman empire may *have two wives since according to* a pretorian edict also infamy attaches to such a condition *(cum etiam in edicto prætoris hujusmodi viri infamia notati sunt) Monogamy therefore* is regarded as naturally valid and is based on the principle of subjectivity

Lastly we must also observe *that royalty* was not abrogated here as in Greece by suicidal destruction on the part of the royal races but was exterminated in hate The king *himself the* chief priest had been guilty of the grossest profanation the principle of subjectivity revolted against the deed and the patricians thereby elevated to a sense of independence threw off the yoke of royalty Posses ed by the same feeling the plebs at a later date rose against the patricians and the Latins and the all es again t the Romans until the equality of the ocial units was restored through the whole Roman dominion (a multitude of slaves too being emancipated) and they were held together by simple despotism

Livy remarks that Brutus hit upon the right epoch for the expul ion of the kings for that if

taken place earlier the state would have ... dissolution. What would have happened because it has been less crowded had been formed earlier when living together had not yet produced a mutual conciliation of disposition. The constitution now became in some ... If we look at the matter more closely, it is evident (Livy ii. 1) that no other essential change took place than the transference of the power which was previously *permanent* in the king, to *two annual* consuls. These two ... in power managed military and judicial as well as administrative business, for praetors, as supreme judges, did not appear till a later date.

At first all ... remained in the hands of the consuls, and the ... of the republic externally and internally, the state was in a ... In the Roman history a period occurs as troubled as that in the Greek which followed the extinction of the dynasties. The Romans had first to sustain a severe conflict with the expelled king, who had sought and found help from the Etruscans. In the war against Porsena, the Romans lost all their conquests and even their independence; they were compelled to lay down their arms and to give hostages, according to an expression of Tacitus (... ...) it seems as if Porsena had even taken Rome. Soon after the expulsion of the kings we have the contest between the patricians and plebeians, for the abolition of royalty had taken place exclusively to the advantage of the aristocracy, to which the royal power was transferred, while the plebs lost the protection which the kings had afforded. All magisterial and juridical power and all property in land was at this time in the hands of the patricians, while the people, continually dragged off to war, could not employ themselves in peaceful occupations; handicrafts could not flourish, and the only acquisition the plebeians could make was their share in booty. The patricians had their territory and soil cultivated by slaves, and assigned some of their land to their clients, who on condition of paying taxes and contributions ... the usufruct of it. This relation, on account of the form in which the dues were paid by the clients, was very similar to vassalage; they were obliged to give contributions towards the marriage of the daughters of the patrons, to ransom him or his sons when in captivity, to assist them in obtaining magistracies, and to make up the losses sustained in suits at law. The administration of justice was likewise in the hands of the patricians, and that without the limitations of definite and written laws—a desideratum which at a later period the decemvirs were created to supply. All the power of government belonged moreover to the patricians, for they were in possession of all offices—first of the consulate, afterwards of the military tribuneship and censorship (... ... A.U.C. 311)—by which the actual administration of government as likewise the oversight of it was left to them alone. Lastly, it was the patricians who constituted the senate. The question as to how that body was recruited appears very important. But in this matter no systematic plan was followed. Romulus is said to have founded the senate, consisting of ... members ... succeeded ...

... that the censors and sometimes the ... filled up the vacant places in the senate. In the Second Punic War, A.U.C. ... a dictator was chosen who nominated one hundred and seventy-seven new senators; he selected those who had been invested with curule dignities, the plebeian aediles, tribunes of the people and quaestors, citizens who had gained *spolia opima* or the *corona civica*. Under Caesar the number of ... Roman historians that they give us so little information respecting the composition and redintegration of the senate. But this point which appears to us to be invested with infinite importance was not of so much moment to the Romans, since they did not attach so much weight to formal arrangements; their principal concern was *how* the government was conducted. How in fact can we suppose the constitutional rights of the ancient Romans to have been so well defined, and that at a time which is even regarded as mythical and its traditionary history as epical?

The people were in somewhat such oppressed condition as ... the Irish were a few years ago in the British Isles, while they remained at the same time entirely excluded from the government. Often they revolted and made a secession from the city. Sometimes they also refused military service; yet always remains very striking the fact that the senate could so long resist superior numbers irritated by oppression and practised in war; for the main struggle lasted for more than a hundred years. In the fact that

the people could so long be kept in check is manifested its respect for legal order and the *sacra* But of necessity the plebeians at last secured their righteous demands and their debts were often remitted The severity of the patricians their creditors the debts due to whom they had to discharge by slave work drove the plebs to revolts At first it demanded and received only what it had already enjoyed under the kings—landed property and protection against the powerful It received assignments of land and tribunes of the people—functionaries that is to say who had the power to put a veto on every decree of the senate When this office commenced the number of tribunes was limited to two later there were ten of them which however was rather injurious to the plebs since all that the senate had to do was to gain over one of the tribunes in order to thwart the purpose of all the rest by his single opposition The plebs obtained at the same time the *pro ocatio ad populum* that is in every ca e of magisterial oppression the condemned person might appeal to the decision of the people—a pri f infinite

pecially

desire o *decemviri* were nominated the tribunate of the people being suspended to supply the desideratum of a determinate legislation they perverted as is well known their unlimited power to tyranny and were driven from power on an occasion entailing similar disgrace to that which led to the punishment of the kings The dependence of the *clientela* was in the meantime weakened after the decemviral epoch the *clientes* are less and less prominent and are me

as the senate could now impede the *comitia* and elections By degrees the plebeians effected their admissibility to all dignities and offices but at first a plebeian consul ædile censor etc was not equal to the patrician one on account of the *sacra* which the latter kept in his hands and a long time intervened after this concession before a plebeian actually became a consul It was the *tribunus plebis* Licinius who established the whole cycle of these political arrangements in the second half of the fourth century A U C 387 It was he also who chiefly commenced the agitation for the *lex agraria* re pecting which o much has been written and debated amon the learned of the day The agitators for this law excited during every period very great commotions in Rome The plebeians were practically excluded from almost all the landed property and the object of the agrarian laws was to provide land for them—partly in the neighborhood of Rome partly in the conquered districts to which colonies were to be then led out In the time of the republic we frequently see military leaders assigning lands to the people but in every case they were accused of striving after royalty becau e it was the kings who had exalted the plebs The agrarian law required that no citizen should possess more than five hundred *jugera* the patricians were consequently obliged to surrender a large part of their property Niebuhr in particular has undertaken extensive researches respecting the agrarian laws and has conceived himself to have made great and important discoveries he says that an infringement of the sacred right of property was never thought of but that the state had only a si ned a portion of the public land for the use of the plebs having always had the right of dispo ing of them as its own property I only remark in passing that Hegewisch had made this discovery before Niebuhr and that Niebuhr derived the particular data on which his as ertion rests from Appian and Plutarch that is from Greek authors respecting whom he himself allows that we should have recourse to only in an extreme case How often does Livy as well as Cicero and others speak of the agrarian laws while nothing definite can be inferred from their statements!

This is another proof of the inaccuracy of the Roman historians The whole affair ends in nothing but a useless question of jurisprudence The land which the patricians had taken into posse sion or in which colonies ettled was originally public land but it also certainly belonged to tho e in possession and our information is not at all promoted by the as ertion that it al ays remained pul lic land This d scovery of Niebuhr s turns upon a very immaterial d stinction existing perhaps in his ideas but not in reality The Licinian law was indeed carried but soon tran gre sed and utterly d sregarded Licinius Stolo him elf who had first agitated for th la wa puni hed becau e he po e ed a larger property in land than wa allowed and the patricians oppo ed the exe ution of the law with the greatest ob tinacy W mu t here call e pec al attention to the distinct on which ex ts between the Roman the Greek and our own circumstances Our ci il society rests on other principles and in it such measures are not necessary Spartans and Athenians who had n t ar

mod such an abstract dea of the t te as was so ten nously held b the Roman did not trouble themsel es wi h bstract ri hts b t simply desired that the ci izens hould ha e the ears of eth en e and th requ ed of the ete to ould take care tha u h hould be the case.

This is the ch f point in the first period of Roman h ry that t e pl bs att ined the ri

Roman annal ts in whose pages we see the R mans carrying on war onl with enemi s with ut learning anything further of the r in di dualit e g the Etru cans the Samn tes the L guria s with whom they carried on wa s durin ma y hund ed e rs It is ular in re ga d to thes tran act ons tha the Roma who ha e the justificati n co ceded b wo ld hi ory on the r ide hould also claim f r them el es the minor ju tifica on in respect to manifes toes and t eaties on occa ion f minor infrin e w e after l com take lea es

a d deem i expedient t be u he Ro-

da op self externally A period f satished ase in the c mmon in e est ens es and citizens are weary of t rnal trugg es When a er civil disco ds natu ns direct t er energies outward, they ppea in their greatest strength fr the pre us c ment co tinues and longer having ts bject with n seeks f it w ... This di ection gi en to th R man energy was bl fo m m t t ceal the de ert o t um equilibrium w r t ed, betw en the ane en al cen e f unity d up- p Th con radicti that exi t d ould t be break ... fearfully at lat r period b pres t thi tim the gre t ess f Rome had to disp tself in wa and th c que of th w ld. Th pow th wealth, the g d ned from these wars as l the diffi culties to which they led kept the Romans to- gether as regards th int rnal fl rs of the t te Th d di cipan ecur d th ir c tory As compa d th th G eek r Ma cedonian t Roman rt f wa ha pe ial pe cu es. Th str gth f the phalanx la ts m d in ma e hara t Th Ro- man legions als p esen l s rra but th y had t sam t m rticulated rganiza tion they uni ed th tw xtremes f ma e es on th on hand d f disper into li ht troops t e ha d they h d firmly to- ge whil th sam tim th y w apa ble f read expan Arch and sling ers preceded the main bo f t Roman rmy ben ties ta ked th enemy fterwards lea ing th dec t the d.

I would be w rns r t k t p rs th wars f th R mans It l partly b ca se they ar in themsel es unimportan en th en empty h n f th ge ral in La y cannot ry m h increa th int t partly on urt f the unin ll t haracte f th

mans had long and eve e co te ts t ma ntain with th S mnites the Etru cans the Gau s the Mars the Umbrians d the Bru tii be fore they ould make them l s m ters of the wh le of Italy Their domin on was exte ded then e in a s uth ly direction the gain d secure footing in S cily where the Carthagin ians had l ng carried on wa then they ex tended their power towa ds the west fr m Sar dinia and Cors ca th y we t t pa They thus oo came int f equent n act with th Car thaginians and w e bliged to f rm a na al powe in oppo ti n to them This tran t was ea r in an ent times tha it w uld per hap be n w wh l n pract e and uperio kn wledg a equi ed f marit me ervice The mode of w f e at e was not ery dif f rent f m that on land.

We ha e thu ed the end f the first epoch f R man hi tory in which the R mans b the r t il military transa t had be ome p tali ts in a trength p ope t th m el es a d with whi h th y w to ppe o the the t f th w ld. The Rom d mini wa on the who not et ry greatly xt ded only few lo es had ttled on the oth r sid of th P and on the th c s d rable pow fr nted that of R me It w the Sec d Punic W the f e that g the imp lse to ts te ribl c li with the m t powe f l tates f th tim th gh t th R m came t o t t with M ed ia A ia Syria and ub eq tly als with Egypt It ly d R m emai ed th cent f th gr t f r stretchi emp e b t this t was as al e dy em ked

bl Achæan, P l b us whose f te it wa t

observe the fall of his country through the disgraceful passions of the Greeks and the baseness and inexorable persistency of the Romans

Section II

ROME FROM THE SECOND PUNIC WAR TO THE EMPERORS

The second period according to our division begins with the Second Punic War that epoch which decided and stamped a character upon Roman dominion In the First Punic War the Romans had shown that they had become a match for the mighty Carthage which possessed a great part of the coast of Africa and southern Spain and had gained a firm footing in Sicily and Sardinia The Second Punic War laid the might of Carthage prostrate in the dust The proper element of that state was the sea but it had no original territory formed no nation had no national army its hosts were composed of the troops of subjugated and allied peoples In spite of this the great Hannibal with such a host formed from the most diverse nations brought Rome near to destruction Without any support he maintained his position in Italy for sixteen years against Roman patience and perseverance during which time however the Scipios conquered Spain and entered into alliances with the princes of Africa Hannibal was at last compelled to hasten to the assistance of his hard pressed country he lost the battle of Zama in the year 55 A U C and after six and thirty years revisited his paternal city to which he was now obliged to offer pacific counsels The Second Punic War thus eventually established the undisputed power of Rome over Carthage it occasioned the hostile collision of the Romans with the king of Macedonia who was conquered five years later Now Antiochus the king of Syria is involved in the *melée* He opposed a huge power to the Romans was beaten at Thermopylæ and Magnesia and was compelled to surrender to the Romans Asia Minor as far as the Taurus After the conquest of Macedonia both that country and Greece were declared free by the Romans—a declaration whose meaning we have already investigated in treating of the preceding historical nation It was not till this time that the Third Punic War commenced for Carthage had once more raised its head and excited the jealousy of the Romans After long resistance it was taken and laid in ashes Nor could the Achæan league now long maintain itself in the face of Roman ambition the Romans were eager for war destroyed Corinth in the same year as Carthage and made Greece a province The fall of Carthage and the subjugation of Greece were the central points from which the Romans gave its vast extent to their sovereignty

Rome seemed now to have attained perfect security no external power confronted it she was the mistress of the Mediterranean—that is of the *media terra* of all civilization In this period of victory its morally great and fortunate personages especially the Scipios attract our attention They were morally fortunate although the greatest of the Scipios met with an end outwardly unfortunate because they devoted their energies to their country during a period when it enjoyed a sound and unimpaired condition But after the feeling of patriotism the dominant instinct of Rome had been satisfied destruction immediately invades the state regarded *en masse* the grandeur of *individual* character becomes stronger in intensity and more vigorous in the use of means on account of contrasting circumstances We see the internal contradiction of Rome now beginning to manifest itself in another form and the epoch which concludes the second period is also the second mediation of that contradiction We observed that contradiction previously in the struggle of the patricians against the plebeians now it assumes the form of private interest contravening patriotic sentiment and respect for the state no longer hold these opposites in the necessary equipoise Rather we observe now side by side with wars for conquest plunder and glory the fearful spectacle of civil discords in Rome and intestine wars There does not follow as among the Greeks after the Median wars a period of brilliant splendour in culture art and science in which spirit enjoys inwardly and ideally that which it had previously achieved in the world of action If inward satisfaction was to follow the period of that external prosperity in war the principle of Roman life must be more concrete But if there were such a concrete life to evolve as an object of consciousness from the depths of their soul by imagination and thought what would it have been! Their chief spectacles were triumphs the treasures gained in war and captives from all nations unsparingly subjected to the yoke of abstract sovereignty The concrete element which the Romans actually find within themselves is only this unspiritual unity and any definite thought or feeling of a non abstract kind can lie only in

the dom nera.y of indi duals The t n. on of virtue is n w relaxed, becau e the d n er s past At th time of th First Pun c War neces ty unit d the h rts of all fo the s ing of Rome In the foll g wars too with M c donia Syria, and th Gauls in upper Italy the exist ence f th e ti e state was still concerned. But af er the da g f om Carthage and M cedon as o r the sub eq e t war wer mo e and m the me e c equences f vi tories and thin lse was eeded than to gathe i the r fruits The armies were us d fo p rticular ex pediti ns u g st d by policy o fo the d vantages of indi du ls—fo a quiring we lth gl ry so eig ty in the ab tr ct The lat on to other natio wa pu ely th t of forc The na nal indi d ality of pe ple did not as

object The Roman state d aw ng its resou ce from rapine came to be rent in sunder by quar rels about di ding the poil For the f rst oc f the break g out of contention with n

wh ch had bee e j s dominan e of individuals in the state H s chi f object was *to p ocure property for the free* citizens and to p ople It ly w th citizens in ste d of slaves This noble Roman howe er was vanq h d by the gra p ng nobles for the d

god. The R m d t ent int su h a r la ti n to the other nati s fo th g d nly the *J iter C pit l* e ther d they esp ct the *acra* of th th n t s (y more than th pl beia s tho f the p tric s) but as c que rs in th strict se f the t rm they plund th pall di f th t o Rom kept tanding rmie th nqu d p o es a d p oc n. l d p opræto s w sent to th m a c ys Th equit c llect d th taxes and t bute hich they f rm d und the st te A et f h fi l f rm rs (*p bl cani*) was thus drawn o th wh l R m wo ld C to u ed

stract f gnty d pow the p esoti m of th w ll in oppo t t th s n l ing m l l me t of det rm t but appearing in te form ly th hape f indi dual t ests I e e th umber f p e d in th ggra dizem t f indi d l withi R me t lf and th rrup-tion th e n g F m A lu ry d d ba chery we b ght t R m Ri h fl w d in ft th f hi f spo l w r d w not the fruit of d try d h e t a t ty in th same way as the ma had risen t f m th eres, t es f ommer b t w th a w like

energy could be l phys cal fo ce were i the ascendant The enormous c rrupt on of Rome di play it elf in the wa w th Jugurth wh had ga ned the en at by brib ry and i dulg d h mself in the most atr c u deeds of vi lence a d crime Rome wa pervad d by the exciteme t of the struggle ag inst the C mbri a d T uto es who s um d men g pos tio towa ds th s te With great e ertio s the latter w re utterly routed Pr e ce near Aix th others i Lomb dy t the Adige by M rius th co q r of Jugu tha Th the Ital all s whos d ma d f Roma cit ensh p had b en f sed ra ed e olt d while th R mans had to su t a struggle ag t a t p we It ly they e e ed th news that at the mmand f M thridat 80 000 R mans h d been put to de th in As M r Mithridat s was King f Pontu g rn d Colch s d th la d of the Bl k Sea as f r as the T c p n m la and could summon to h s sta da d in his wa w th R m the p pulat o s of the Ca c s f Armeni Mesop t m a d p rt f Syria th h his son l w T g Sull who had l dy l d the Roman hosts in the Soc al War q d him Ath s wh h h d hith rt been p ed w s bel g ed d t ken b t f the sake of the r f the s as Sulla exp ed him self not de t oved. H th t ed to R m red ced th popula f ct headed by M rius and C nna becam m t r of the city d com menc d syst mati ma s cre f Rom t ens of cons d rati n Forty se tors d six

hundred knights were sacrificed to his ambition and lu t of power

Mithridates was indeed defeated but not overcome and was able to begin the war anew At the same time Sertorius a banished Roman aro e in revolt in Spain carried on a contest there for eight years and perished only through treachery The war against Mithridates was terminated by Pompey the king of Pontus killed himself when his resources were ex hau ted The Servile War in Italy is a contem poraneous event A great number of gladiators and mountaineers had formed a union under Spartacus but were vanquished by Crassus To this confusion was added the universal preva lence of piracy which Pompey rapidly reduced by a large armament

We thus see the most terrible and dangerous powers arising against Rome yet the military force of this state is victorious over all Great individuals now appear on the stage as during the times of the fall of Greece The bio raphies of Plutarch are here also of the deepest interest It was from the disruption of the state which had no longer any consistency or firmness in itself that these colossal individualities arose instinctively impelled to restore that political unity which was no longer to be found in men s di positions It is their misfortune that they cannot maintain a pure morality for their course of action contravenes things as they are and is a series of tran gressions Even the noblest—the Gracchi—were not merely the victims of injus tice and violence from without h

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(p nu accomplish has on its side the higher sanction of the world spirit and must eventually triumph The idea of an organ ization for the vast empire being alto ether absent the senate could not assert the author ity of government The sovereignty was made dependent on the people—that people which was now a mere mob and was obli ed to be supported by corn from the Roman provinces We should refer to Cicero to ee how all affairs of state were decided in riotous fashion and with arms in hand by the wealth and power of the grandees on the one side and by a troop of rabble on the other The Roman citizen h h m

fore apparently the defender of the Republic —on the other Cæsar with his legions and a superiority of genius This contest between the two most powerful individualities could not be decided at Rome in the forum Cæ ar made him self master in succession of Italy Spain and Greece utterly routed his enemy at Pharsalu forty eight years before Christ made him elf sure of Asia and so returned victor to Rome

In this way the world wide overeignty of Rome became the property of a single po es sor This important chan e must not be re garded as a thing of chance it was *necessa y*—postulated by the circumstances The demo cratic constitution could no lon er be really maintained in Rome but only kept up in ap pearance Cicero who had procured him elf great re pect throu h hi high oratorical talent and whose learning acquired him con iderable influence always attributes the corrupt state of the republic to individuals and their pas ion Plato whom Cicero professedly followed had the full consciousness that the Athenian state as it presented itself to him could not maintain its existence and therefore sketched the plan of a perfect constitution accordant with his view s Cicero on the contrary does not con ider it im possible to preserve the Roman Republic and only desiderates some temporary as istance for it in its adversity The nature of the tate and of the Roman state in particular transcend hi comprehension Cato too ays of Cæsar His virtues be execrated for they have ruined my country! But it was not the mere accident of Cæsar s existence that destroyed the republic—it was *necessity* All the tendencies of the Ro man principle were to sovereignty and m l tary forc

oi ptriotism that of preserving the state ceases when the lu t of per sonal dominion becomes the impelling pa sion The citizens were alienated from the tate for they found in it no objective satisfaction and the interests of indi iduals did not take the same direct —

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sculpture and poetry and especially a highly cultivated philo ophy Their wo ks of art were only what they had collecte I from every part of Greece and therefore not productions of their own their riches were not the fru t of indu try as was the case in Athens but the result of plunder Elegance—culture—was *foreign to the* Romans *per se* they sought to obtain it from

the Greeks and for this purpose great numbers of Greek slaves were brought to Rome. Delos was the centre of this slave trade and it is said that sometimes on a single day ten thousand slaves were purchased there. To the Romans he

all public affairs were decided by the private party of the more eminent citizens—by their power, their wealth, and what tumultuary proceedings marked all political transactions. In the time of the founders of the new system no longer an e... that could be looked for only in a single will. Cæsar who may be added ... paragon of Roman ... of mean t ends—who formed his resolves with the most unerring perception, and executed them with the greatest vigor and practical skill, without any superfl

Cæsar effected two objects: he calmed the internal strife and at the same time originated a new ... outside the limit of the empire. For the conquest of the world had reached hitherto only the circle of the Alps, but Cæsar opened a new scene of achievement: he founded the theatre which was ... the point of beginning of history. He then achieved universal sovereignty by a ... which he did not ... Rome ... the whole Roman world. His position was indeed hostile to the republic but properly speaking only to its shadow, for all that remained of that republic was entirely powerless. Pompey and all those ... the senate exalted their dignitas ... individual rule as the power of the republic and the mediocrity which needed protection took refuge under this title. Cæsar put an end to the empty formalism of this title, made himself master, and held together the Roman world by force in opposition to isolated factions. In spite of this we see the noblest men of Rome supposing Cæsar's rule to be a merely adventitious thing and the entire position of affairs to be dependent on his individuality. So thought Cicero, so Brutus and Cassius. They believed that if this one individual were out of the way the Republic would be ... restored. Possessed by this remarkable hallucination Brutus, a man of highly noble character, and Cassius, endowed with greater practical

h m n whose mmedi ld guide the Roman state and now the ns were compelled to adopt that opinion since in all periods of the world a political revolution is sanctioned in men's opinions when it repeats itself. Thus Napoleon was twice defeated and the Bourbons twice expelled. By repetition that which at first appeared merely a matter of chance and contingency becomes a real and ratified existence.

Section III

Chapter 1 *Rome Under the Emperors*

During this period the Romans come into contact with the people destined to succeed them as a world historical nation, and we have to consider that period in two essential aspects: the *secular* and the *spiritual*. In the secular aspect two leading phases must be specially regarded: first the position of *the ruler*, and secondly the conversion of mere individuals into *persons*—the world of legal relation.

The first thing to be remarked respecting the *imperial rule* is that the Roman government was so abstracted from interest that the great transition hardly changed anything in the constitution. The popular assemblies alone were unsuited to the new state of things and disappeared. The emperor was *princeps senatus*, censor, consul, tribune; he ... nominally continuing offices himself, and the military power, the most essential, was exclusively in his hand. The constitution was utterly unsubstantial form from which all vitality ... equally all might and power had departed, and the only means of maintaining its existence were the legions which the emperor constantly kept in the vicinity of Rome. Public business was indeed brought before the senate, and the emperor appeared simply as one of its members, but the senate was obliged to obey, and whoever ventured to gainsay his will was punished with death and his property confiscated. Those therefore who had certain death in anticipation killed themselves, that if they could do nothing more they might at least preserve their property to their family. Tiberius was the most odious to the Romans on account of his power of dissimulation; he knew very well how to make good use of the baseness of the senate in extirpating those among them whom he feared. The power of the emperor rested, as we have said, on the army and the

Pretorian bodyguard which surrounded him But the legions and especially the Pretorians

some respect for the family of Cæsar Augustus but subsequently the legions chose their own generals such *as* as had gained their good will and favor partly by courage and intelli

enjoyment of their power with perfect simplicity and did not surround themselves with pomp and splendour in Oriental fashion We find in them traits of simplicity which astonish us Thus *e g* Augustus writes a letter to Horace in which he reproaches him for having failed to address any poem to him and asks him whether he thinks that that would disgrace him with posterity Sometimes the senate made an attempt to regain its consequence by nominating the emperor but their nominees were either unable to maintain their ground or could do so only by bribing the Pretorians The choice of the senators and the constitution of the senate was moreover left entirely to the caprice of the emperor The political institutions were united in the person of the emperor no moral bond any longer existed the will of the emperor was supreme and before him there was absolute equality The freedmen who surrounded the emperor were often the mightiest in the empire for caprice recogni es no distinction In the person of the emperor isolated subjectivity has gained a perfectly unlimited realization Spirit has renounced its proper nature inasmuch as limitation of being and of volition has been constituted an unlimited absolute existence This arbitrary choice moreover has only one limit the limit of all that is human—*death* and even death became a theatrical display Nero *e g* died a death which may furnish an example for the noblest hero as for the most resigned of sufferers Individual subjectivity thu entirely emancipated from control has no inward life no prospective nor retrospective emotions no repentance nor hope nor fear—not even thou ht for all the e involve fixed conditions and aims while here every condition is purely contin ent The prings of action are none other than desire lu t passion fancy—in short caprice absolutely unfettered It finds so little limitation in the will of other that the relation of will to will may be called that of absolute sovereignty to absolute slavery In the whole known world no will is imagined that is not subject to the will of the emperor But under the sovereignty of that one everything is in a condition of *order* for as it actually *is* it is in due order and government consists in brin in all into harmony with the sovereign *one* The concrete element in the character of the emperors is therefore of itself of no interest becau e the concrete is not of essential importance Thus there were emperors of noble character and noble nature and who highly distinguished themselves by mental and moral culture Titus Trajan the Antonines are known as such chara ters rigorously strict in self government yet even these produced no change in the state The proposition was never made during their time to give the Roman Empire an org nization of free social relationship they were only a kind of happy chance which passes over without a trace and leaves the condition of things as it was For these persons find them elves here in a po ition in which they cannot be said to act since no object confronts them in opposition they have only to will—well or ill—and it *is* so The praiseworthy emperors Vespasian and Titus were uc ceeded by that coarsest and most loath ome tyrant Domitian yet the Roman historian tells us that the Roman world enjoyed tranquillizing repose under him Those single points of light therefore effected no change the whole empire was subject to the pressure of taxation and plunder Italy was depopulated the most fertile lands remained untilled and this state of things lay as a fate on the Roman world

The second point which we have particularly to remark is the position taken by individuals as *persons* Individuals were perfectly equal (slavery made only a trifling distinction) and without any political right As early as the termination of the Social War the inhabitants of the whole of Italy were put on an equal footing with Roman citizens and under Caracalla all distinction between the subjects of the entire Roman empire was abolished Private right developed and perfected this equality The right of property had been previously limited by distinctions of variou kind which were now abrogated We observed the Romans proceeding from the principle of abstract subjectivity which now realizes itself as personality in the recognition of private ri ht Private right *is* is this that the social unit as such enjoys con ideration in the state in the reality which he gives to h mself—*is* in property The living political body that Roman feeling which animated it as its soul is now brought back to the isolation of a lifeless private r ght As when the physical body suffers

Essolr en, each po_t gains a life of its own, ... which is onl th miserabl life of worms ... the po_ cal organism is here dissolved into ... private persons. Such a condition is Roman life at this epoch on the one side ... abstract universality of so e ... on the other the individual abstraction. ...

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... It is the pride of the social units to enjoy ... the importance as private persons for the ... is thus enabled to assert unbounded claims ... but the substantial interest thus comprehended ... is only of a superficial kind, and the development of private right, which this high principle introduced, involved the decay of political life. The emperor domineered only and could no be said t rule for the equitable and moral medium between the sovereign and the subjects was wanting—the bond of constitution and organization of that in which gradation of circles of social life enjoying independent recognition, exists in communities and provinces which devoting their energies to the general interest, exert an influence on the general government. There are indeed curiae in the towns, but they are either destitute of ... or used only as means for oppression ... and systematic plunder. That, therefore, which was ... present to the minds of men was ... their country or ... as ... the wh ... stat ... f ... urged them t ... d themselves t ... and t strive f ... perfect indifference to Life—an indifference which they ... in free ... or in direct sensuous enjoy... Thus man was either at war with ex... ence or entirely given up to mere sensuous existence. He either recognized his destiny in the task of acquiring the means of enjoyment through the f... of the emperor or through ... testamentary fr... and cunning ... be sought repose in philosophy which alone was still able to ... something firm and independent f... the systems of that time—... Epicureanism, and Scepticism—although within their common sphere opposed to each other had the same general purport, viz. rendering the soul absolutely indifferent to everything which the real world had to offer. These philosophies were therefore widely extended among the cultivated: they produced in man a self reliant immobility as the result of thought, ... of the activity which produces the universal. But the inward reconciliation by means of philosophy was itself only an abstract one—in the pure principle of personality for thought which has perfectly refined, made it ... itself to be real and was the counsel of despair ... world which no longer possessed anything stable. It could not satisfy the living spirit which longed after a higher reconciliation.

Chapter ... *Christianity*

It has been remarked that Caesar inaugurated the modern world on the side of reality while its spiritual and inward existence was unfolded under Augustus. At the beginning of that empire whose principle we have recognized as finiteness and particular subjectivity exaggerated to infinitude the salvation of the world had its birth in the same principle of subjectivity—viz. as a *particular person* in abstract subjectivity but in such a way that conversely finiteness is only the *form* of his appearance while infinity and absolutely independent existence constitute the essence and substantial being which embodies. The Roman world, as it has been described—in its desperate condition and the pain of abandonment by God—came to an open rupture with reality and made prominent the general desire for a satisfaction such as can only be attained in "the inner man," the soul, thus preparing the ground for a higher spiritual ... spirit, which manifested itself in connection with the *Christian religion*. This higher spirit ... the reconciliation and emancipation of spirit while man obtains the consciousness of spirit in its universality and infinity. The absolute object, *truth*, is spirit and as man himself is spirit, he is present to himself in that object, and thus in his absolute object has found essential being and ... essential being. But in order that the objectivity of essential being may be done away with, and spirit be no longer alien to itself may be *with* itself the natural ... of spirit—that in virtue of which man is a special, empirical existence—must be removed

so that the alien element may be destroyed and the reconciliation of spirit be accomplished

God is thus recognized as *spirit* only when known as the triune This new principle is the axis on which the history of the world turns This is *the goal* and the *starting point* of history When the fulness of the time was come God sent His Son is the statement of the Bibl Th means h had re *mente*] of spirit u au come to feel the necessity of comprehending those phases absolutely This must now be more fully explained We said of the Greeks that the law for their spirit was Man know thyself The Greek spirit was a consciousness of spirit but under a limited form having the element of nature as an essential ingredient Spirit may have had the upper hand but the unity of the sun

nationalities and of their divinities and was represented by *art* in whose phere the sensuous is elevated only to the middle ground of beautiful form and shape but not to pure thought The element of sub that the F in it t took its material from passion and caprice —even the most shameful degradations could be here connected with a divine dread (*vide* the declaration of Hispala re pecting the Bacchanalia Livy xxxix 13) This element of subjectivity i afterward further realized as personality of individuals—a realization which is exactly adequate to the principle and is equally abstract and formal As such an ego I am infinite to myself and my phenomenal existence consists in the property recognized as mine and the recognition of my personality This inner existence goes no further all the applications of the principle merge in thi Individuals are thereby posited as atoms but they are at the same time subject to the evere rule of the *One* which as *monas monadum* is a power over private persons That private right is therefore *ipso facto* a nullity an ignoring of the personality and the supposed cond tion of right turns out to be an absolute d stitution of it Th mi ery of c rding to titled only possession while the person of persons lays claim to the po ession of all these individuals so that the right assumed by the social unit is at once abrogated and robbed of validity But the mi ery of this contradiction is the *discipline of the world Zucht* (discipline) is derived from *ziehen* (to draw) This drawing must be towards something there must be some fixed unity in the background in who e direction that drawing tak s place and for which the subject of it is be ng trained in order that the standard of attainment may be reached Are nunciation a disaccustomin is the means of leading to an absolute ba is of existence That contrad the ver a discip compels nanity to di play its nothingness But it is reserved for us of a later period to regard this as a training to those who are thus trained it seems a blind destiny to which they submit in the stupor of suffering The higher condition in which the soul itself feels pain and longing—in which man is not only drawn but feels that the drawing is into him elf—is still absent What has b must cipline himsel fering st as already said be merged in a sorrow of the inner man He must feel himself as the negation of himself he must see that his misery is the misery of his nature—that he is in himself a divided and discordant being This state of mind this self chastening this pain occasioned by our individual nothingness—the wretchedness of our self and the longing to transcend this condition of soul—must be looked for elsewhere than in the properly Roman world. It is thi which gives to the *Jewish people* the r world histor cal importance and weight for from this state of mind arose that hi her pha e in which spirit came to absolute self consciou ness—passing from that alien form of bein which is its discord and pain and mirroring it self in its own essence The state of feeling in question we find expressed most purely and beautifully in the P alms of David and in the Prophets the chief burden of who e utterance i the thir t of the oul after God its profou d sorrow for its tran gr ssions and the de ire fo righteou ness and h liness Of th s pirit we have the mythical representation at the very beginning of the Jewish can nical books in the account of the Fall Man creat d in the image of God lost it is aid his state of ab olute contentment by eating of the tree of the knowlec e of good and evil Sin con ists here only in knowl edge this is the s nful el ment and by it man is

sinful to have lost ed awa his natural happiness This is a deep tr , that evil lies in consciousness for the brutes are neither evil nor good nor the merely natural man quite as l tl Con sciousness occasions the separation of the ego in its boundless freedom as arbitrary choice, from the pure essence of the will—i e from the good Knowledge as the disannulling of the unity of mere nature is the Fall, which is no casual conception, but the eternal history of spirit. For the state of innocence the paradisaical condition, is that of the brute Paradise is a park, where only brutes not men, can remain. For the brute is with God only implicitly Only man's spirit (that is) has self-cognizant existence. This existence for self this consciousness is at the same time separation from the universal and divine spirit If I hold to my abstract freedom, in contraposition to the good I adopt the standpoint of evil. The Fall is therefore the eternal mythus of man—in fact the very transition by which he becomes man. Persistence in this standpoint is however evil, and the feeling of pain at such a condition and of longing to transcend it we find in David, when he says Lord, create for me a pure heart, a new steadfast Spirit. This feeling we observe even in the account of the Fall though an announcement of reconciliation is not made there but rather of a continuance in misery Yet we have in this narrative the prediction of reconciliation in the sentence The serpent's head shall be bruised" but still more profoundly expressed where it is stated that when God saw that Adam had eaten of that tree he said. Behold Adam is become as one of us knowing good and evil. God confirms the words of the serpent. Implicitly and explicitly then, we have the truth that man through spirit—through cognition of the universal and the particular—comprehends God Himself But it is only God that declares this—not man the latter remains on the contrary in internal discord. The joy of reconciliation is still distant from humanity the absolute and final repose of his whole being is not yet discovered to man. It exists in the first instance only for God. As far as the present is concerned the feeling of pain at his condition is regarded as a final award. The satisfaction which man enjoys at first consists in the finite and temporal blessings conferred on the chosen family and the possession of the Land of Canaan. His repose is not found in God. Sacrifices are it is true offered to Him in the temple and atonement made by outward rites and

inward penitence But that mundane satisfaction in the chosen family and its possession of Canaan was taken from the Jewish people in the chastisement inflicted by the Roman Empire. The Syrian kings did indeed oppress it but it was left for the Romans to annul its individuality. The Temple of Zion is destroyed the God-serving nation is scattered to the winds. Here every source of satisfaction is taken away and the nation is driven back to the standpoint of that primeval mythus—the standpoint of that painful feeling which humanity experiences when thrown upon itself Opposed to the universal fatum of the Roman world we have here the consciousness of evil and the direction of the mind Godwards. All that remains to be done is that this fundamental idea should be expanded to an objective universal sense and be taken as the concrete existence of man—as the completion of his nature Formerly the Land of Canaan and themselves as the people of God had been regarded by the Jews as that concrete existence But this basis of satisfaction is now lost and thence arises the sense of misery and failure of hope in God, with whom that happy reality had been essentially connected. Here then misery is not the stupid immersion in blind fate but boundless energy of longing. Stoicism taught only that the negative is not—that pain must not be recognized as a veritable existence but Jewish feeling per-

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nature—the unity of reality of subjectivity with the substance of the essential being. Through the loss of mere outward reality spirit is driven back within itself the domain of reality is thus refined to universality through the reference of it to the One. The Oriental antithesis of light and darkness is transferred to spirit and the darkness becomes sin. For the abnegation of reality there is no compensation but subjectivity itself—the human will as intrinsically universal and thereby alone does reconciliation become possible Sin is the discerning of good and evil as separation but this discerning likewise heals the ancient hurt and is the fountain of infinite reconciliation. The discerning in question brings with it the destruction of that which is external and alien in consciousness and is consequently the return of subjectivity into itself This then adopted into the actual self-consciousness of the world is the reconciliation of the world From that unrest of infinite sorrow in which the two sides of the an

I was alive without the law once, etc. Romans, 7 9

tithesis stand related to each other is developed the unity of God with *reality* (*which latter had* been posited as negative) *i e* with subjectivity which had been separated from Him The infinite loss is counterbalanced only by its infinity and thereby becomes infinite gain The recogni*tion of the identity of the subject and God* was introduced into the world when *the fulness of time was come* the consciousness of this identity is the recognition of God in his true essence The material of truth is *spirit* itself—inherent vital movement The nature of God as pure spirit is manifested to man *in the Christian religion*

But what is spirit? It is the one immutably homogeneous infinite—pure identity—which in *its second phase separates itself from it elf and* makes this second aspect its own polar opposite *ii* as existence for and in self as contrasted with the universal But this separation is annulled by the fact that atomistic subjectivity as simple relation to itself is itself the universal the identical with self If spirit be defined as absolute *reflection within itself in virtue of its* absolute duality—love on the one hand as comprehending the emotional knowledge on the other hand as spirit—it is recognized as *triune* the Father and the Son and that duality which *essentially characterizes it as Spirit It must* further be observed that *in* this truth the relation of man *to* this truth is also posited For spirit makes itself its own opposite and is the return from this opposite into itself Compre*hended in pure ideality that antithetic form of* spirit is the Son of God reduced to limited and particular conceptions it is the world nature and finite spirit finite spirit itself therefore is posited as a constituent element in the divine *being Man himself therefore is comprehended* in the idea of God and this comprehension may be thu expressed—that the unity of man with God is posited in the Christian religion But this unity must not be superficially conceived as if God were only man and man without further condition were God Man on the contrary is God only in so far as he annuls the merely natural and limited in his spirit and elevates himself to God That is to say it is obligatory on him who is a partaker of the truth and knows that he himself is a constituent of the divine idea to give up his merely natural being for the natural is the *unspiritual In this idea of*

an instrument necessary for producing the ...

of man with God. This implicit unity exists in *the first place only* for the thinking speculative consciousness but it must also exist for the sensuous representative consciousness—it must become an object for the world—it must *appear* and that in the sensuous form appropriate to spirit which is the human

Christ has appeared—a man who is God—God who is man and thereby peace and reconciliation have accrued to the world Our thoughts naturally revert to the Greek anthropomor

further its being *unique* in its kind it can occur only once for God is realized as subject and as manifested subjectivity is exclusively one individual The lamas are ever and anon chosen anew because God is known in the East as sub*stance whose infinity of form is* recognized merely in an unlimited multeity of outward and particular manifestations But subjectivity as infinite relation to self has its form *in itself* and as manifested must be a unity excluding *all others Moreover the sensuous existence* in which spirit is embodied is only a transitional phase Christ dies only as dead is he exalted to heaven and sits at the right hand of God only thus is he spirit He himself says When I am *no longer with you* the Spirit will guide you into all truth Not till the Feast of Pentecost were the Apostles filled with the Holy Ghost To the Apostles Christ as living was not that which he was to them subsequently as the spirit of the Church in which he became to them for the first time an object for their truly spiritual consciousness On the same principle we do not adopt the right point of view in *thinking of* Christ only as a historical bygone personality So regarded the question is asked what are we to make of his birth his father and mother his early domestic relations his miracles etc?—*i e* what *is he unspiritually regarded?* Considered only in respect of his talents character and morality as a teacher and so forth we place him in the same category with Socrates and others though his morality may be ranked *higher But excellence of character* morality etc —all this is not the *ne plus ultra* in the requirements of spirit—does not enable man to gain the speculative idea of spirit *for his con*ceptive faculty If Christ is to be looked upon

ml as an excellent, even impeccable nd idual and othing mo e the c ncept n of the specu- h e dea, f abs lute truth is gn red. But this is t e desideratum the point from which we f Christ wh t you will

Literest o pas o or originated in this or quarter let all such cir umstan es have been at they might—the o ly concerni g qu tion hat is the idea or the truth and for tself? Further the real tt tation of the di inity of Christ is th witness of o e s own p rit—not miracles fo only spirit recognizes p rit The miracles may lead the way to su h re ogn t n A miracle im lies that the natural c urse of things is int rrupted but it is very much a question f relati what we c ll th nat r l ourse d th phenomena f the magnet might under co er of thi definiti n be eck n d mir culous. No does the mira le of th di ine m of Chri t pro e anything fo So rates likewise intr du ed a n w self-c nsciousness on the part of sp rit di se f om the t aditio al f mens c ncept o Th m questi n is t his di ine missio but th revel t on mad in Christ a d the purport f his miss on Christ himself blames the Ph ri ees fo des ring mira cles f him, and peaks of false p phets who will perform mira les.

We ha e ext t co d how the Chri tian view res lt d in th f rmati of the Church T purs e th ratio l f ts developm nt f om th id a of Chris ianity w uld lead us too f and w ha e here to indi t only the g r l phases which th p ocess umed. The first phase is the f undi f the Chri ti gio in h h ts prin pl is exp s d with unre strain d ene gy b t in th fi t tanc b s rictly Thi w find in th Gospel whe e the infinity f spirit t lev t int th p tual wo ld, is th m in theme W th transcend t boldres does Chri t tand f rth amo g the Jewish peopl Bl sed e th p he rt f they hall G d, h p oclaims in the Serm the Mou t— di tum of the blest s mpli ty and p egna t w th an el tic en rgy of bound g t all th d entit ppli an es with h h th hum s ul an be b de ed. Th pu heart is th d m wh h G d present to man he wh mb d w th the p rit f this pophth gm is rm d ga n t ll he bonds and superst t Th th tt ranc s of the same teno Blessed the peacemak ers for they hall be called the children of God and Blessed are they which are persecuted for righteousness sake for theirs is the kingdom of he en and, Be ye perfect e e as your Father which is in hea en is perfect Chri t enfo ces here a completely unmistakable e quirem nt. The infinite exaltat o of p rit to abs lute purity s placed at the beginn n s the f undation of all The form of the nstrumental it by wh ch th t result is to b accomplished is not yet g e but the result itself is the ub ject of an absolute command As regards the re lation of this tandp nt of pi t to secular existence we fi d th t piritual purity prese ted the s bsta ti l ba s Seek ye first the ki g

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o twa d suff rings s such are not to be d or fled f om for they a e noth ng as compa ed with th t glory Further on this doctri e s the n tural c nseq ence of its appearing in an ab- l d ecti n If

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w ldly gain it is said Ca e not f r your l fe what y shall eat and drink nor for you body what ye shall put on Is n t the l fe mo e than m at and the body more th aime t? Beh ld th f wls of the a f th y wn t n the do they reap no gathe into b rns y t y ur heav enly Fathe f ed th th m Are ye not much bet t r th n they? Lab for sub st ce s thus rep bated W lt thou be pe f ct go and sell what th h t a d gi e it to the poo o sh lt th u ha e a tre e in h a en and c me fol l w m W this p c pt di e tly compl d with a s cial revol t o m t tak place the po w uld b c me the r ch. Of s h pr me mom t it is impl d, s the d tr e of Christ th t ll d t es a d m ral bond unimport nt a compa d with it T y uth wh wish s t d lay the d t f di c pleship till h ha buried his f th Chri t says Let the de d bury the r de d—f llow thou m H that l th f th r o m th mor tha m i t wo thy f me H sa d Wh i my mother? nd who ar my b th ? and st t hed hi hand ut e his

The word in the ext occur R man 8 8 b t th import f M thew 5 is ly the same.

disciples and said Behold my mother and my brethren! For he that doeth the will of my Father in heaven the same is my brother and sister and mother Yes it is even said *Think not that I am come to send peace on the earth I am not come to send peace but the sword For I am come to set a man against his father and the daughter against her mother and the mother in law against her daughter in law* Here then is an abstraction from all that belongs to reality even from moral ties We may say that nowhere are to be found such revolutionary utterances as in the Gospels for everything that had been respected is treated as a matter of indifference—as worthy of *no regard*

The next point is the development of this

society—a church It has been already remarked that only after the death of Christ could the spirit come upon his friends that only then were *they able to conceive the true idea of God* ... that in Christ man is redeemed and reconciled for in him the idea of eternal truth is recognized the essence of man acknowledged to be spirit *and the fact proclaimed that only by stripping* himself of his finiteness and surrendering himself to pure self consciousness does he attain the truth Christ—man as man—in whom the unity of God and man has appeared has in his death and his history generally himself presented the eternal history of spirit—a history which every man has to accomplish in himself in order to exist as spirit or to become a child of God a citizen of his kingdom The followers of Christ who combine on this principle and live in the spiritual life as their aim form the *Church* which is the Kingdom of God Where two or three are gathered together in my name (*i e* in the character of partakers in my being) says Christ there am I in the midst of them *The church is a real present life in the spirit of* Christ

... h ... fi ... t ...xhibited This comp... ...ian commu... experiences found itself ... ...ation—first a relation to the Roman world and secondly to the truth whose development was its aim We will pursue these different *relations separately*

The Christian community found itself in the Roman world and in this world the extension of the Christian religion was to take place That *community must therefore keep itself* removed from all activity in the state constitute itself a separate company and not react against the decrees views and transactions of the state But as it was secluded from the state and consequently did not hold the emperor for its absolute sovereign it was the object of persecution and hate Then was manifested that infinite inward liberty which it enjoyed in the great steadfastness with which *sufferings and sorrows* were patiently borne for the sake of the highest truth It was less the miracles of the Apostles that gave to Christianity its outward extension and *inward strength than the substance the truth* of the doctrine itself Christ himself says Many will say to me at that day Lord Lord! have we not prophesied in thy name have we not cast out *devils in thy name have we not in* thy name done many wonderful deeds? Then will I profess unto them I never knew you depart from me all ye workers of iniquity

As regards *its other relation* ... *that to the* truth it is especially important to remark that the *dogma*—the theoretical—was already matured within the Roman world while we find the development *of the state from that principle* a much later growth The Fathers of the Church and the councils constituted the dogma but a chief element in this constitution was supplied by the previous development of *philosophy* Let us examine more closely how the philosophy of the time stood related to religion It has already ... ...ss and ...y ab... ...lu...ve ...y the ...o the ...it was ...ou...ht as the One Infinite The universal ... here only as an unimportant predicate—not *itself a subject but requiring a concrete* particular application to make it such But the one and universal the illimitable conceived by fancy is essentially Oriental for measureless *conceptions* carrying all limited existence beyond its proper bound are indigenous to the east Presented in the domain of thought itself the Oriental *One is the invisible and non sensuous* God of the Israelitish people but whom they also make an object of conception as a person This principle became world historical with *Christianity*

In the Roman world the union of the east and west had taken place in the first instance

b mea_s of conquest it took place n w i ward psych logically also—the sp rit of the e_st ere ding o e the west The worship of I nd that of Mithra had been extend d t_rough t_e wh le Roma wo ld pirit lo t in the outward and in limited aims yearned afte an infini e. But the west des ed deeper pure h reward universality—an infinit pos essed at t_ same time of po_iti e qualities Again t was in Egypt—in Alexandria r th cent e of communication between the ea_t and the west—t_a_ t_e probl m f the age was pr po ed fo th ny and the solution now f und wa p rit There the tw princ ples came int sc entific contact, and we e scientifically w ked ut It especial rema k ble t ob erve there learned Jews such as Phil connecting bstract f rms of the concret whi h they d ri ed f om Plato and Aris' tle with t_e on eption f th infin te a_d recognizing God ac rding to the m re con cre' dea of spirit, und r the definiti of th Λογος. So also did the profound thinkers of Alexandria omp ehend th unity of the Pla tonic and Ari t t lian phil ophy d the r speculati thinking ttained those ab tract idea whi h lik wi e the fundame tal purport of the Christian relig The applic tion by way of po tulate to the pagan lig of deas recognized as true was a di ectio wh ch phi losophy had already taken among th heathen Pla had alt g ther repudiated th current myth logy and, with his f ll wers was cu_ed of ... ism The Al xandrians o the trary endea oured to d monstrat speculative truth in the Greek co cept ons of th gods a d the Emperor Julian th *Apo t te resum d the t* tempt, asserting that the pagan cerem nials had a strict connecti w th rat on lity The h then f lt as t w *oblig d t gi t ther* d m. es th semblance f som thing high r than sen_uous co cept they th f e t tempted t *sp ritualize* them Thus mu h is lso ertain, that th G eek ligi tains d gree f easo f th s bsta e f sp rit is reason and ts p od ct must be mething ra tional. It makes diffe h w whether reason is xplicitly devel ped in r ligi o merely dumbrated by t as onstituti g t h dden ba_is. And wh l th Gre ks thus p rit ua_ized thei sens us di in t es th Chri tian also on their sid ught f p f und e in th hist rical part f th religi n. Just as Phil found deepe import shadowed forth in t_e Mosaic ec rd and dealized wh t h sidered th ba h ll of th narrati e lso did t_e Christians treat their ec ds—partly with a polemic v ew but still more largely from f ee and po taneous interest in the process. But the instrume tality of ph losophy in ntro-d cing these dogmas i to the Chri_tian religion s o sufficient gr und for as_erting that they we e f reign t Christianity and had n thing to d with it It is a matte of perfect indifference whe e a thing originated the nly question is Is it true n and for it elf? Man think that d ri to be Neo-Plato ic

Church that recognized and est blished the d c C h

Nicene C uncil (A.D 3) was ult mat l e tab-lished a fixed confessio of faith to wh ch we still adhere this c nfession had not deed a speculati *form* b t th p f undly pecula ti e is m st int mat ly nwo en th the mani festation of Christ himself Even in John (ἐν ἀρχῇ ἦν λογος λογος ἦν πρὸ τὸ Ο ὁ Θεὸ ἦν λογ) we see the c mm cem t f a prof unde comp hensio Th prof und st tho ght is ct d w th the pers nality of Christ with th histo cal and ext rn l and t is th ery gra deu f the Christian religi n *that with ll th s p fundity t is e y f com* p ehensio by ur con u ess in t outwa d spect whil at the same time t summons us to pe trat d epe It th s dapted to e ry grade of cultu e and yet sati fies the highest requirements

Ha ing pok of the relat on of the Christian community t the Roman w ld n th d and to the truth tai ed in t doct es o the oth de we come t the th d po nt in wh ch both doctrin a d the ext rn l w ld e c c rned, the *Church* The Chri t n c mmunit is the Kingd m f Christ—it infl e c g pres t p rit being Christ for this Kingdom has an tual exist ce n t a mer ly f t e one Thi sp ritual tuality h the efore al_o a ph m enal existen e d that ot l ntrasted with heathe i_m b t w th ular *xi ten*

1 the L th ra ritu l h ly C holic Ch rch is subs ed f a Holy Catholic Church, in th creed.

generally For the Church as presenting this outward existence is not merely a *religion* as opposed to another religion but is at the same time a particular form of secular existence occupying a place side by side with other secular existence The religious existence of the Church is governed by Christ the secular side of its government is left to the free choice of the members themselves Into this kingdom of God an organization must be introduced In the first instance all the members know themselves filled with the spirit the whole community perceives the truth and gives expression to it yet together with this common participation of spiritual influence arises the necessity of a presidency of guidance and teaching—a body distinct from the community at large Those are chosen as presidents who are distinguished for talents character fervor of piety a holy life learning and culture generally The presidents—those who have a superior acquaintance with that substantial life of which all are partakers and who are instructors in that life those who establish what is truth and those who dispense its enjoyment—are distinguished from the community at large as persons endowed with knowledge and governing power are from the governed To the intelligent presiding body the spirit comes in a fully revealed and *explicit* form in the mass of the community that spirit is only *implicit* While therefore in the presiding body the spirit exists as self appreciating and self cognizant it becomes an authority in spiritual as well as in secular matters—an authority for the truth and for the relation of each individual to the truth determining how he should conduct himself so as to act in accordance with the truth This distinction occasions the rise of an *ecclesiastical kingdom* in the kingdom of God Such a distinction is inevitable but the existence of an authoritative government for the spiritual when closely examined shows that human subjectivity in its proper form has not yet developed itself In the heart indeed the evil will is surrendered but the will as human i not yet interpenetrated by the deit h

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mankind is an object of the grace of God and f the di ine purpose God will ha e *all* m n t be a ed. Utterl excl din all spe iality t e efore man n and for him elf in his simple quality f man has infinite val e and this in it alues aboli hes *p o facto* all particular attaching to birth or ountry The othe the econd princ ple regards th subjecti ity of man m t bearin o the fortui ous—on chance Humanity has th phere of fr e sp rituality in a d for elf and erythin else mu t proceed f om t. The place app opriated to the abode a d presence of the di ine sp rit the sphere in question, is sp ritual s bjecti tv nd s c n r ned th pla t whi h all c ingency is amen bl It follows thence that what we b served amo the G eeks a a f rm of cu t m ary morality cannot maintain ts po tion in the Chri ian wo ld. Fo th t moral ty is spo taneous unr flected w t while the Christian principle indepe dent s bj cti t —the soil on whi h grows the true. Now an un flected m ralit canno c tinue t h ld ts gr und against the prin ple f s bj cti e *freedom* Greek f eedom was that f hap and geni t was still ditt ed b la es d ra l s but n w the principl of ab lut f ed m in God makes ts ppe ran Man now no lo g r sus tain the relati f dependence b t f love—in th n usness that h is a partak in the di ne exi ten e In e a d t parti ular aims man now forms his own det rminat ons and recog nizes himself as ple potenti ry in re a d to ll fini e exi e ce All that special retreats into the ba kground bef re that piri l pher of s bjecti ty whi h takes a ec dary positi only in p ese e of the di in pirit The super s tion of racl and usp ces is th by en tirel abrogat d man s ecognized a the b o lute auth rity in cri es f deci

It is th tw p in ples ju t t eat d f that tta h t spirit in this ts self-c tained phase Th shri f man de n d, n th hand, to train the tizen f th religious lif t bring himself into harm ny with the sp t f God th ther hand, this is the *p rt d d part* fo determinin cular la tions, and ts c dit is th theme f Christian hist ry The hange whi h p ty eff ts must ot emain c led in th re es es f th heart but must becom an ctual p esent w ld, compl ing with the o diti ns prescribed by that bs lut sp rit P ty f heart does n t p se m ol th ubmis o of the ubjecti e will m s ext rnal lations t that p ety On the ontrary we see all pass ns incr a ingly ram

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the w o ld but o m t gati this t n at to b onl a *dist ct o* Rea n in general is the po t e exi t n of sp rit di ine as well as human Th di tinction between religion and the h l *igion as such* s rea on

hi tory is nl th manifestati n t r l gi n a human rea on—the prod ction of the eligious principl which dwells in the h art of man, un der the form of ecular f ed m. Thus the dis

peoples t the *G rman* I anc ent Rome it self Chri tianity annot fi d a ground on wh ch t may b come a tual nd develop n emp re

Chapter 3 *The Byza t ne Empire*

W th Co t ti the G eat th Chri tian ligi ded the th e of the empire He was followed by a su ess on of Chri ti n empe s int rrupt d o ly by Julian—who h wever uld d b t little f r the pro trate anc ent faith. Th Roman Emp re mbraced the whole civ lized earth from the western ocean to the Tigris— f m th terior of Africa to th Dan be (Pan nonia D ci) Christianity oon p d thr ugh th length and b eadth of this mous realm. R m h d lo g ceas d t b th exclus res de f the empe rs Ma y of C nstantin p deces rs h d e ded in Milan other pla es and he him elf established a d ourt in th anc t Byza tium which ece ed the n m f C nstantinopl F om the first ts popul t n c ist d chiefly of Chri tia s and Constantin la ished ev ry applia t ender

generally For the Church as presenting this outward existence is not merely a *religion* as opposed to another religion but is at the same time a particular form of secular existence occupying a place side by side with other secular existence The religious existence of the Church is governed by Christ the secular side of its government is left to the free choice of the members themselves Into this kingdom of God an organization must be introduced In the first instance all the members know themselves filled with the spirit the whole community perceives the truth and gives expression to it yet together with this common participation of spiritual influence arises the necessity of a presidency of guidance and teaching—a body distinct from the community at large Those are chosen as presidents who are distinguished for talents character fervor of piety a holy life learning and culture generally The presidents—those who have a superior acquaintance with that substantial life of which all are partakers and who are instructors in that life those who establish what is truth and those who dispense its enjoyment—are distinguished from the community at large as persons endowed with knowledge and governing power are from the governed To the intelligent presiding body the spirit comes in a fully revealed and *explicit* form in the mass of the community that spirit is only *implicit* While therefore in the presiding body the spirit exists as self appreciating and self cognizant it becomes an authority in spiritual as well as in secular matters—an authority for the truth and for the relation of each individual to the truth determinin how he should conduct himself so as to act in accordance with the truth This distinction occasions the rise of an *ecclesiastical kingdom* in the kingdom of God Such a distinction is inevitable but the existence of an authoritative government for the spiritual when closely examined shows that human subjectivity in its proper form has not yet developed itself In the heart indeed the evil will is surrendered but the will as human i not yet interpenetrated by the deity the human will is

dom Up to this point finite freedom has been only annulled to make way for infinite freedom The latter has not yet penetrated ecular existence with its rays Subjective freedom has not yet attained valid ty as such in ight does not yet rest on a basis of its own but is content to inhere in the spirit of an extrinsic authority

That *spiritual* kingdom has therefore as umed the shape of an *ecclesiastical* one as the relation of the substantial being and essence of spirit to human freedom Besides the interior organization already mentioned we find the Christian community assuming also a definite external position and becoming the possessor of property of its own As property belonging to the spiritual world it is presumed to enjoy pecial protection and the immediate inference from this is that the Church has no dues to pay to the state and that ecclesiastical persons are not amenable to the jurisdiction of the secular courts This entails the government by the Church itself of ecclesiastical property and ecclesiastical persons Thus there originates with the Church the contrasted spectacle of a body consisting only of private persons and the power of the emperor on the secular side on the other side the perfect democracy of the spiritual community choosing its own president Priestly consecration however soon changes this democracy into aristocracy though the further development of the Church does not belong to the period now under consideration but must be referred to the world of a later date

It was then through the Christian religion that the absolute idea of God in its true conception attained consciousness Here man too finds himself comprehended in his true nature given in the specific conception of the Son Man finite when regarded *for himself* is yet at the same time the image of God and a fountain of infinity *in himself* He is the object of his own existence —has in himself an infinite value an eternal destiny Consequently he has his true home in a supersensuous world—an infinite subjectivity gained only by a rupture with mere natural existence and volition and by his labour to break their power within him This is religious elf consciousness But in order to enter the sphere and display the active vitality of that religious life humanity must become capable of it This capability is the *δύναμις* for that *ἐνέργεια* What therefore remains to be considered is those conditions of humanity which are the necessary corollary to the consideration that man is absolute self consciousne s—his piritual nature being the starting point and presupposition These conditions are them elves not yet of a concrete order but simply the first *abstract principles* which are won by the instrumentality of the Christian religion for the *secular state* First under Christianity lavery is impossible for man is man in the abstract essence of his nature is contemplated in God each unit of

pr ate and pol.tical lif would bo.h be perfect a.d the state of mankind would be th oughly hteous and m ral Su h represen.ations may — h t do t possess truth fo re nith de will

m lligen may becom t — t be *thoroughly ed cated* n ht must bec me cus ~ h rictical a ti ity must be ele ated

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to d gu ting bje t In ega d to r gi wo m erest obtain d pr mun first the ettl ment of doctrin and ec dly the ppoint ment to ec les t cal ffice Th settlem nt of doctrin pertained t the council nd Chur h ho t es but th principl f Chri ti nity is fre d m—s bjecti s ght. Th e matters t f e were spe l subjects of o tenti n f th populac lent l wa s a e and everywh m ght b witn ss d sc of mur de c flagr ti and p llag perpetrated in the c u e f Christian d gmas A f mo s schism *t* occurred in f e t the dogma of the T*ri yior* The w ds d H ly Holy H ly is th Lo d G d f Z b th T *thi* o e party m h f Christ dd d— wh w s *crucified* f us An the party r j ct d the dditi and anguinary truggl ens d. In the test on th q esti wh he Chri t w e *μο σιο μοιο* o—that is f *th* m of *similar* na ur th God—th l tt cost m y thou ands th li es. Espec lly t n us e th t about mages whi h t ften happer d, that th empe r decla d fo th ima es a d th patnar h ga nst o co ersely Streams f blood fl w d th re lt G ry Nazianze says m wh Thus ty [C tinopl] is f ll f handicraftsm .nd sta es h ll p found theologians and pre ch in th w ksh ps and in th t ets. If yo want ma t hang p f il e be

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—that the n is m if you ask whether the bread is ready the re jo nd r is that the genesis of the S n w s from Th de of p nt co tamed in this

and th jealousy and amb uon o — s lik n e *occas oned many* intestine trugg To all these religious contenti ns was added the inte est in the gl diators and the r combats and in th p rties of the blue a d green colour which likewi e occasio ed the bloodiest encounters s gn of the most fea ful d gradation as pro i g that all feeling for what is erious and elevated is lost and that the delirium of eligious pas si n is quite con ste t with an appeti e fo gross nd ba b rous spectacles.

The chief po ts in the Chri tian religion were at la t by degrees established by the counc l The Christians of the Byzantine Empire re mained sunk in th dream f uperstition—p istin in blind bedience t the patriarchs and the priesthood. Image worship to which w l lud d abo e occa o ed the mo t iolent tru gles and storm The bra e Emperor Leo th Isaurian in particular persecuted images w th the greatest obstin cy and in th year 54 image w rship was d cla ed by c uncil t be an in tion f the de il. Ne erth less in th year 87 the Empre s I e had it t d un der the a th rity of N ce e c un il a d th Empre s Th od ra d finiti ely est bli.hed t— p c ding again.t ts enemies with energeti rigo r Th n clast c patriar h ec ed tw hund ed bl ws the b hops trembled the m nk xulted and the m m ry f th rthodo p ce di g was cel brated by an annu l eccle s tical festi al. Th west n th co trary rep di ted mage wo hip lat as the year 94 in *the council held at F ankf rt a d, tho gh* taining th imag s blamed most se e ely th superstitio of the G ee.s Not till th lat middle ge did image worship meet with uni r.al ad pti n as th resu.t f quiet and l w ad an es

The Byzantine Empir was thus distracted by pa f ll kinds *with* and p .ed b the b b rians—t wh m th empe r ould ff b t feebl es tan e—*with t* Th realm was diti n f perpetual in curity It general pect p esents di gusting p ctur f imbecility wr tched nay insan pa s ns stifl

this new abode equal in splendour to the old The empire still remained in its integrity till Theodosius the Great made permanent a separation that had been only occasional and divided it bet h —

o t n world Under him the pagan temples were shut the sacrifices and ceremonies abolished and paganism itself forbidden gradually however it entirely vanished of itself The heathen orators of the time cannot sufficiently express their wonder and astonishment at the monstrous contrast between the days of their forefathers and their own Our temples have become tombs The places which were formerly adorned with the holy statues of the gods are now covered with sacred bones [relics of the martyrs] men who have suffered a shameful death for their crimes whose bodies are covered with stripes and whose heads have been embalmed are the object of veneration All that was contemned is exalted all that was formerly revered is trodden in the dust The last of the pagans express this enormous contrast with profound lamentation

The Roman Empire was divided between the two sons of Theodosius The elder Arcadius received the Eastern Empire ancient Greece with Thrace Asia Minor Syria Egypt the younger Honorius the Western Italy Africa Spain Gaul Britain Immediately after the death of Theodosius confusion entered and the Roman provinces were overwhelmed by alien peoples Already under the Emperor Valens the Visigoths pressed by the Huns had solicited a domicile on the hither side of the Danube This was granted them on the condition that they should defend the border provinces of the empire But maltreatment roused them to revolt Valens was beaten and fell on the field The later emperors paid court to the leader of these Goths Alaric the bold Gothic chief turned his arms against Italy Stilicho the general and minister of Honorius stayed his course A.D 403 by the battle of Pollentia as at a later date he also routed Radagaisus leader of the Alani Suevi and others Alaric now attacked Gaul and Spain and on the fall of Stilicho returned to Italy Rome was stormed and plundered by him A.D 410 Afterwards Attila advanced on it with the terrible might of the Huns—one of those purely Oriental phenomena which like a mere storm torrent rise to a furious height and bear down everything in their course but in a brief pace are so completely spent that nothing is een of them but the traces they have left i th ~ wh h

(ᴗy Lt us near Chalons on the Marne Victory remained doubtful Attila subsequently marched upon Italy and died in the year 453 S —
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sen e estern emperors became a farce and their empty title was abolished by Odoacer King of the Heruli

The Eastern Empire long survived and in the west a new Christian population was formed from the invading barbarian hordes Christianity had at first kept aloof from the state and the development which it experienced related to doctrine internal organization discipline etc But now it had become dominant it was now a political power a political motive We now ee Christianity under two forms on the one side barbarian nations whose culture was yet to begin who have to acquire the very rud ments of science law and polity on other side civilized peoples in possession of Greek science and a highly refined oriental culture Municipal legislation among them was complete—having reached the highest perfection through the labors of the great Roman jurisconsults so that the *corpus juris* compiled at the instance of the Emperor Justinian still excites the admiration of the world Here the Christian religion is placed in the mid t of a developed civilization which did not proceed from it There on the contrary the process of culture has its very first step still to take and that within the sphere of Christianity

These two empires therefore present a most remarkable contrast in which we have before our eyes a grand example of the necessity of a people s having its culture *developed* in the spirit of the Christian religion The history of the highly civilized Eastern Empire—where as we might suppose the spirit of Christianity could be taken up in its truth and purity—exhibits to us a millennial series of uninterrupted crimes weaknesses basenesses and want of principle a most repulsive and consequently a most

intrinsic spirituality It may even be entirely separated from the w rld as e g in Monasticism—which originated in Egypt It is a common notion and saying in reference to the power of religion abstractly con idered over the hearts of men that if Christian love were universal

FOURTH PART

THE GERMAN WORLD

The German pirit is the spirit of the new wo ld Its aim is the realization f absolute truth as the unlimited self-d termin t on of f eedom—*th t* f eedom which has its own abso lute form t lf as its p rport The destiny of the German people to be th bear rs of the Christian prin ple The principle of p ritual freedom—of reconciliat n, was int oduced in to th till simple unf rmed minds of tho e peoples and the p rt ass gned them in the s rv e f th w ld sp t w s th t f ot merely posses ing th d of f e d m as the s bstra tum of their r ligi us conceptio s b t f pro d cing t in f ee and p tan us d elopme ts from the subjecti e self-consciousness

In ent ring o the t k of di ding the Ger man w ld int its natural peri ds we must re ma k that we ha e ot as was the case in tre t ng f the G ks and R ma doubl external thu —b k ards to an earlie w ld h stori cal peopl and f rwards t later one—to guide u Hist ry show th t the process f dev l p ment am ng th people w under co ide u was lt gethe different The Greek and Romans h d ch d m turity w thin the di ect d th e gies outwa ds The Ger m

ing these to bear upon their own In the Cru sades indeed, and in the discovery of America the western world d rected its ene gies out

proces f ulture they derw t consisted n taking up fo gn el m ts nd d ctu ly amalgamat th m th their wn national l fe Thus thei hist ry p es ts an intr s o the ttracti n of alien f rm of life and the bring

tion to an extra eous pri ciple he e only *ac comp es* the history does not bring with it es sent al changes in the nature of those co dit ons wh h characteriz the peoples in question but r th r wea s the a pect of i ternal evolution

The lation to other countries and periods is th e ti ely different f om that sustained by the Greeks and Rom ns F r th Christia world s the world of compl tion the grand principle of being is realized, co sequently the end of days is f lly come The id a can di cover in Christian ty no point in the asp t ons of p rit that s not s tisfied For ts i di idu l members the chu ch is t is true p eparat for n eternal state as som th g f tu e s ce the units who compose it in the isol ted a d seve al capacity occupy a p sition of part cu l rity but th ch h h s also the sp rit of G d actually p esent i it t forgives the si ner and i a present kingd m of hea en Thus the Chris tia wo ld has ab olute existe ce o t ide its phere but nly relat e one which s al e dy impl tly a q hed and in respect to wh ch it nly c cern is t m ke t app rent th t thi conq est has t ken pl ce. He c t follows that a external efe e ce cea to be th characte stic l me t d termin g the epochs f the mod rn w ld We ha e th efore to look fo a ther pri pl of di is on

The G rma world t ok up the Roman cul tur and rel g in the r complet d form The e

Tha The upreme l f th rse rec g and de cal h the d ta es f sc e—be omes i f l bert M l y—th h y which ha the ncon establ h d m m on hich theref re is th onl bsol ly f d un mited pow r— longe compulsory na tm h the free hoice f h man be gs. The good ma ould mak la f himself if he f d on made f him.

Th i flue ce f the Crusades d f th disc ry f Am ica mply *fle* \ he phase f h m ity was th reby m ged i Ch tend m

the growth of all that is noble in thoughts deeds and persons Rebellion on the part of generals depositions of the emperors by their means or through the intrigues of the courtiers as assina tion or poisoning of the emperors by their own wives and sons women surrendering themselves to lusts and abominations of all kinds—such are the scenes which history her h till at last a tury (A D I ern Empire iumbied in pieces before the might of the vigorous Turks

the a e of

From that epoch thou ht b gan to ga a cul t re p op rly ts own pr n ples we e den ed from t wh h were to b the norm for the con

Pericles is wa ti g in this epoch . . . possesses e ormous pos b lit es n point of o t wa d ppl a ces and appears abs lute n hi p wer b t the i ner sp rit of Pericles and therefo e the ab olut me s of establishing a fre sovere gnty a e not in him Th s is th ep ch when sp rit bec mes cle r to itself i sep aratio s occurr ng in the realm of real ty now

d tn t

ple i he e quit as de idedly pres nt y t i as the unity of bstract un ersal s e e gnty but as the heg mo y of self-cogn zant th u ht The authority of r tio al m i a knowledged and pri l g s a d part cul rit es melt away be fore the ommon object of the state Peoples w ll the r ght i and for its lf rega d is not had ex lus ely to pa t cular conve tio s betwe nat ons but principl enter to the c ns d a ti ns with wh ch dipl m cy i ccup ed As little can eligio m inta ts lf apart f om thou ht but e the d es t the compreh sion of the dea mp lled by thought it lf becom

Th e epo hs may be also omp d with the earl r mp s In the Germ æ n s the alm f t tality we s the dist ct *repet t on of the arl po l* Ch l m gne s t me may be com pa d with th Pe s a Emp t is the p riod f sub tant l unity—thi unity h ing ts f un datı n i th in e m the he t d both in the p tual and the secul st ll ab di g in its s mpli ty

To th G k w ld and ts me ely *deal* unity the time p ecedi g Cha les V n wers whe e *al* un ty l ge ext t b c ll ph se f particularity h e b me fix d in pri il ges and pecul ghts As the i t rior of the realms th m el es th different tates of the realm, th the e l cl ims e olat d s d the n st tes the r fo gn spects occupy *m ly t rn l* rel ti t e h othe *A d pl m t p l y* wh ch i th nte est f a E p n b la c of p w un tes them *with* and *ga t* ea h th It th t me in hi b th w ld be m s l d m f t to its lf (d ry of America) S t d s co sc ous es g le me the s pe suous o d d *p ct* g t S b ta t al obj t e el bri gs t lf t learne in the

The oncep f mys cal *g m P* m *F* d *m Sp* S *f* pe f tly familia t meta h cal theol Th firs ep ese ts th pe od h h de m nif ed—rem *elf* *l* d Th seco d ha f m les ti d d ual be tand *p* *l m* m k d lly— th Son The th rd is tha b h h ba is b k d

Section I

THE ELEMENTS OF THE CHRISTIAN GERM AN WORLD

Chapter 1 *The Ba barian Migrati ns*

Re p t g th fi st p riod w ha on the wh l l ttle to y fo it ff ds us comp ra t ly light material for fl ct We will n t f llow th Germ s b ck int the fo est in t gate th rigi of the migr ti n Th f rest f thei s h e lways pas ed fo the ab d f f ee pe ples and Tac tus sk t h d his cel b ted p ctu e of Germany with a c t n love a d l gi g c ntrast ng it w th the o upt n and tifi lity of th t w ld to wh h b h m lf b longed B t w mu t t o this account eg d h st te of b b ri m s ex lted o e o f ll to me such rr R eau wh r p t th ditı n of the Am rica ges wh ch man i pos f tru f eed m Ce tainly th e is an

adversus Deos The Christian religion which they adopted had received from council and Fathers of the Church who pos es d culture d - Greek ar system u a completely developed hierarchy To the native tongue of the Germans the Church likewise opposed one perfectly developed—the Latin In art and philosophy a similar alien influence predominated What of Alexandrian and of formal Aristotelian philosophy was still preserved in the writings of Boethius and elsewhere became the fixed basis of speculative thought in the west for many centuries The same principle holds in regard to the form of the secular sovereignty Gothic and other chiefs gave themselves the name of Roman patricians and at a later date the Roman Empire was restored Thus the German world appears superficially to be only a continuation of the Roman But there lived in it an entirely *new spirit* through which the world was to be regenerated the free spirit *vi* which reposes on itself the absolute self determination of subjectivity To this self involved subjectivity the corresponding objectivity stands oppo ed as absolutely alien The distinction and antithesis which is evolved from these principles is that of *church* and *state* On the one side the church develops itself as the embodiment of absolute truth for it is the consciousness of this truth and at the same time the agency for rendering the individual harmonious with it On the other side stands secular consciousness which with its aims occupies the world of limitation—the *state* based on heart or mutual confidence and subjectivity generally European history is the exhibition of the growth of each of these principles severally in church and state then of an antithesis on the part of both —not only of the one to the other but appearing within the sphere of each of these bodies themselves (since each of them is itself a totality) lastly of the harmonizing of the antithesis

The *three periods* of this world will have to be treated accordingly

The *first* begins with the appearance of the German nations in the Roman Empire—the incipient development of these peoples converts to Christianity and now established in the possession of the west Their barbarous and simple character prevents this initial period from possessing any great interest The Christian world then presents itself as Christendom —one mass in which the piritual and the secular form only different a pects This epoch extends to Charlemagne

The *second period* develops the two sides of the antithesis to a logically consequential independence and opposition—the Church for itself as a *theocracy* and the state for it elf as a *feudal monarchy* Charlemagne had formed an alliance with the Holy See against the Lombard and the factions of the nobles in Rome A union thus arose between the spiritual and the ecular power and a kingdom of heaven on earth promised to follow in the wake of this conciliation. But just at this time instead of a piritual kingdom of heaven the inwardness of the Christian principle wears the appearance of being altogether directed outwards and leaving its proper sphere Christian freedom is perverted to it very opposite both in a religious and secular respect on the one hand to the everest bondage on the other hand to the most immoral excess—a barbarous intensity of every passion In this period two aspects of society are to be e pecially noticed the first is the formation of states—superior and inferior suzer n itinr lati cluc universality This regulated subordination appears in the *feudal system* The second aspect presents the antithesis of *Chu ch and state* This antithesis exists solely because the Church to whose management the spiritual was committed it elf sinks down into every kind of worldliness—a worldliness which appears only the more detestable because all passions assume the sanction of religion

The time of Charles V s reign *i e* the first half of the sixteenth century forms the end of the second and likewise the beginnin of the *third pe iod* Secularity appears now as gaining a consciousness of its intrinsic worth—becomes aware of its having a value of its own in the morality rectitude probity and activity of man The consciousness of independent validity i aroused through the restoration of Chri tian freedom The Christian principle has now passed through the terrible discipline of culture and it f rst attains truth and reality through the Reformation This third period of h C — a wo ld tim the are mal u uei tanding—had been already developed but thou h —

the districts of the Maine four leading tribes— Th n gmans

enterpri es r almo t all pa ts L pe P rt f them went t Russ and th e bec me th found rs of the Rus ian Empi e part set tled m n rthern F a ce a d Brit in nothe es ablish d pri c palit es i lowe It ly a d S cil Thus a part of the Sca dina ians founded states in fore gn lands an th r maintained its national ty by th ancestr l hearth

appear the Bulgarians Servians a d Alb nians likewi e f As tic origin—l ft b hind b oken ba barian r mains the sh ck d c unter shocks of the d ancing h des These people did indeed f und ki d ms and sust n spirited c nfli t th the ari s nat ns th t came across the path Sometime as a d anced guard, a interm diate ati nality they to k part in the strug l betw Christ an Eur pe a d unchrist an As Th Poles even libe ted b leaguer d V enna f m the T k and th la s ha e to som xtent be n drawn w thin the sphe e of Occ dent lre s n Y t th s e t re body f pe ples main ex l d d fr m o co dera t o because h thert t has t ppe d as a independe t elem t th eri of pha es th t reason ha sum d th w ld. Whether t will d so hereafte s q t o that d es n t co c rn us h for in h t ry we ha e t do with the pa t.

Th German nati was h ra terized by the sense of nat ral t tality—an di yncrasy whi h may call *h art* H t th t unde l p d ind t rminat t tality f p rit in fe en to th ll in hi h sati f cti n f ul tt d rrespo di gly general and ind term t w y *Char t* s part cula f rm f w ll d m e t asserting tself but the q lity n q t on has n particula aim—r ches h u o the lik in f t does ot o c rn t lf w th any *b ject*—e o dition b t w th the entir o dition of the soul—a general sense of enjoyment. Will in the case f such an idi syncrasy is exclusi ely — I w ll — ts purely subj cti e freedom ex

h rn t t does not bec me e u

itself it wears on the whole the appe i e 'well me ning *Characte* is its di ect opposite

This i the abstra t p inc ple innate in the German p ples and that subjecti e s de whi h th y p ese t to the objecti e in Ch istianity Heart has no particular object in Christian ity we have the absolute *object*—all that can engage and occupy h ma subjectivity Now it s the desire of satisfaction w thout further defin t on or re tricti n that is invol ed in hea t and it is exactly that for which we found an appr p ate applicatio n the princi ple of Christia ity The indefi ite as substa ce in bjecti ity is th pu ely uni e sal—God whil the re ept of th individual will to a partic pat on H fa ou s the c mpl mentary eleme t in the Christ an conc ete unity The ab s lutely uni ersal i that whi h contains in it all determin tions and in v rtue of th s is tself in determin te Subject is the abs l tely determ nate a d thes two a e ide tical. This was

The rd Gem h has xactl correspo di g term i E gl h. I used f rthe yno ym usl h *Herz* nd he ope nes to a us em ons nd impressions h ch mplies may pe haps be ppro ma ed rendered by "heart. Yet is b kw rd abs ute.

6 f the I od ct d lsewher)
Pu self—p re b ecti ty personal ty—n t ly excl des ll tha is m fes ly bjecti ll that is

immense amount of misfortune and sorrow of which the savage knows nothing but this is a merely negative advantage while freedom is essential positive It is only the blessin s con ferred by affirmative freedom that are regarded as such in the highest *grade of consciousness*

Our first acquaintance with the Germans finds *each individual enjoying an independent free* dom and yet there is a certain community of feeling and interest though not yet matured to a political condition Next we see them inundat ing the Roman Empire It was partly the fertil ity of its domains partly the necessity of seek ing other habitations that furnished the inciting cause In spite of the wars in which they engage with the Romans individuals and even entire clans enter their service as soldiers Even so early as the battle of Pharsalia we find German cavalry united with the Roman forces of Cæsar In military service and intercourse with civilized

those of mental cultivation In the later emigra *tions many nations—some entirely others* par t ally—remained behind in their original abodes

Accordingly a distinction must be made be tween the German nations who remained in their ancient habitations and those who spread themselves over the Roman Empire and min gled with the conquered peoples Since in their mi ratory expeditions the Germans attached themselves to their leaders of their own free choice we find a peculiar duplicate condition of the great Teutonic families (Eastern and West ern Goths Goths in all parts of the world and in their original country Scandinavians and Normans in Norway but also appearing as knightly adventurers in the wide world) How ever different might be the fates of these peo ples they nevertheless had one aim in common —to procure themselves pos essions and to de velop themselves in the direction of political organization This process of growth is equally characteristic of all In the west in Spain and Portugal the Suevi and Vandals are the first settlers but are subdued and dispossessed by the Visigoths A great *Visigothic* kingdom was ... h ch Spain Portugal and a part ... second king ... which from the end of the *second* century was given in common to the Istævonian races between the Rhine and the Weser They established them selves between the Moselle and the Scheldt and under their leader Clovis pressed forward into Gaul as far as the Loire He afterwards reduced the Franks on the lower Rhine and the Alemanni on the upper Rhine his sons subjugated the *Thuringians and Burgundians The third king* dom is that of the *Ostrogoths* in Italy founded *by Theodoric and highly flourishing beneath his* rule The learned Romans Cassiodorus and Boethius filled the highest offices of state under Theodoric But this Ostrogothic kingdom did not last long it was destroyed by the Byzan tines under Belisarius and Narses In the second half (568) of the sixth century the *Lombards* invaded Italy and ruled for two centuries till this kingdom also was subjected to the Frank sceptre by Charlemagne At a later date the Normans also established themselves in lower Italy Our attention is next claimed by the *Bur gundians* who were subjugated by the Franks and whose kingdom forms a kind of partition wall between France and Germany The *Angles* and *Saxons* entered Britain and reduced it under their sway Subsequently the Normans make *their appearance here al o*

These countries previously a part of the Ro *man empire thus experienced the fate of subju* gation by the barbarians In the first instance a great contrast presented itself *between the al* ready civilized inhabitants of those countries and the victors but this contrast *terminated in* the hybrid character of the new nations that were now formed The whole mental and moral existence of such states exhibits a divided as pect in their inmost being we have character istics that point to an alien origin This distinc tion strikes us even on the surface in their *language* which is an intermixture of the ancient Roman already united with the vernacular and the German We may class *these nations to*gether as *Romanic*—comprehending thereby It aly Spain Portugal and France Contra ted with these stand three others more or less *Ger man speaking* nations which have maintained a consistent tone of uninterrupted fidelity to na tive character—Germany itself Scandinavia and England The last was indeed incorporated in the Roman Empire but was affected by Roman culture little more than superficially—like Ger many itself—and was again Germanized by Angles and Saxons *Germany proper* kept it elf pure from any admixture only the southern and ... d the Rhine ... The por ... remained ... many was inhabited by several tribes Besides the Ripu arian Franks and tho e established by Clovis in

son *and* the cau e— enders this relati a com pound of fid lity to a person and obedience to a principl

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as a patch k of p ı at rights and a au ıual polit l life s the ta dy ıs e f wear ome struggles d co ul o s

W ha e d, that th Germans wer pre dest ed t be the b re f th Chri ti pri c ple and t rry ut the d as the ab ol tely rat nal aim In the fi st n ta c we ha only gu lıtı the ba kg nd of wh ch lies the true d finit Th t e p sent ly as an un l ed p bl m fo th s l s not yet pu fi d. A l g p es s q ed to omplet this p fi t s to e li e et p nt R l gı n m f rw d w th halle ge t the l e of th pa s o d us them to madn s The c s of pas ns gg ated by e l on e d h ght ed t n nsane tage h h p h ps w ld ot ha b th c h d th t oppo t b n b ent W be h ld th t rribl pe t le of the m t fe ful ext aga f pa ll th y l h f th t p d. Cl th f und f the F a k m chy t ıned w th the bl ck t crimes B b u ha h s d ru lty cha act ız ll th ceedı g M o gıa the sam sp c t le ıs repeat d ın the Thuringı d oth y l h u es The Ch t prı pl c ta ly th p blem mpli t th oul but the e prım rıly st ll rud Th w ll—pote tially true—m tak t lf d ep at t elf f om th tr d p pe a m by pa t ula limited a ms Y t t ın this truggl w th t elf and tran ty to ts bıa that t realizes its

wı hes ıt co te ds aga nst the object which ıt really d s res and thus accompl shes ıt for ı t ally ıt ıs *reconciled* The

subjectı

n ıt elf On the r l gious ıde we ften observe a change of this kind a m n who has all h s l fe been fighti g and hew ng h way—who w th all vehemence of chara ter a d pa ı n has strug d e ular occupat o s—on a lf to re ılar bu ı ı nd ac o ery ıs struggle e e wh ch —ıt finds t made the oj ct o that *secul p ı rs ıts a e spiritual occ pation*

We thu observe that ınd duals and peoples rega d th t wh ch s the r mı fortune as the great st happı ss and con rsely strug le m rs

agitat on t cca cially exe c e ts so e gnty re lızı g ts absolut a m—ıts h nou — the es lt f w t ms and the uncon

ob rs c rri d o c nt mp ane usly ın the East s m q ckly a ompl sh d The latte do n t n ed a lo g p ces a d we see t p o du d p dly en dde ly ın the fi st h l f th sev nth ce tury M hammedanı m

Chapter 2 *Mol ammed ısm*

On th e h d w see th *E op* w ld f rm g ts lf ew—the t o s takı g firm t th e t prod ce world f f eal t pa ded d d l ped ın every dı ect We beh ld th m b gın g the w rk by bringı g ll soc al l tı n unde th form of *p t cı larıty*—w th d ll and arr w ı tellı e plıt tıng th t which ts n t ı g ric d nor m l nt m lt t de of h nc c t gence s e d ıng that wh ch ought t be s mpl prı c pl and l w a tangl d web of e tı n In

exhibited above as the material content in Christianity here we find it subjectively as heart Subject must then also gain an objective form that is be expanded to an object It is necessary that for the indefinite susceptibility which we designate heart the absolute also should assume the form of an object in order that man on his part may attain a consciousness of his unity with that object But this recognition of the absolute requires the purification of man s subjectivity—requires it to become a real concrete elf a sharer in general interests as a denizen of the world at large and that it should act in accordance with large and liberal aims recognize law and find satisfaction in it Thus we find here two principles corresponding the one with the other and recognize the adaptation of the German peoples to be as we stated above the bearers of the hi her principle of spirit

We advance then to the considera[illegible] Germ[illegible] ence [illegible] Germa[illegible] q[illegible] ality of heart is in its first appearance quite abstract undeveloped and destitute of any particular object for substantial aims are not involved in heart itself Where this susceptibility stand alone it appears as a want of character—mere inanity Heart as purely abstract is dulness thus we see in the ori inal condition of the Germans a barbarian dulness mental confusion and vagueness Of the *r ligion* of the Germans we know little The Druids belonged to Gaul and [illegible] th [illegible] [illegible] c[illegible] p[illegible] in their hearts has been already remarked and it is also evident from the fact that the Germans were easily converted to Christianity The Saxons it is true offered considerable resistance to Charlemagne but this was directed not so much against the religion he brought with him as against oppression itself Their religion had no profundity and the same may be said of their *ideas of law* Murder was not regarded and punished as a crime it was expiated by a pecuniary fine This indicates a deficiency in depth of sentiment that absence of a power of abstraction and discrimination that marks their peculiar temperament a temperament which lead them to regard it only as an injury to the community when one of its members is killed and nothing further The blood revenge of the Arabs is ba ed on the feeling that the honour of the family is injured Among the Germans the comm[illegible] d[illegible] fi[illegible] in[illegible] p[illegible] The ancient Germans were famed for their love of freedom the Romans formed a correct idea of them in this particular from the first Freedom has been the watchword in Germany down to the most recent times and even the league of princes under Frederick II had its origin in the love of liberty This element of freedom in passing [illegible] [illegible] very member of the community as such is a free man Homicide could be expiated by a pecuniary mulct because the individuality of the free man was regarded as sacred permanently and inviolably whatever he might have done The community or its presiding power with the assistance of members of the community delivered jud ment in affairs of private right with a view to the protection of person and property For affairs affecting the body politic at large for wars and similar contingencies the whole community had to be consulted The second point to be observed is that social nuclei were formed by free confederation and by voluntary attachment to military leaders and princes The connection in this case was that of *fidelity* for fidelity is the second watchword of the Germans as freedom was the first Individuals attach themselves with free choice to an individual and without external prompting make this relation an inviolable one This we find neither among the Greeks nor the Romans The relation of Agamemnon and the princes who accompanied him was not that of feudal suit and service it was a free assoc ation merely for *a part cular pu pose*—a hegemony But the German confederations have their being not in a relation to a mere external a m or cau e but in a relation to the spiritual elf—the subjective inmost personality Heart di pos tion the concrete sul jectivity in its integrity which does not attach itself to any abstract bearing of an object but regards the whole of it as a condition of attachment—making itself dependent on the per

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[illegible]

the ctor a *t-the* of all their posse ons tho e which had to be c ptured, a *fifth*

Abstracti n swayed the minds of the M ham meda... Their object was t establish an ab stract w rship and they truggled for it ac c m ...hm t with the gr ate.t e thusia m This enthu..a..m was *f nat cism* that i n en t.usiasm fo som th.ng ab tract—f r an ab stract thought which sustains a negati e po ition towards the e tablished d r of things It is the essence f fanaticism to bear only a desolat ... h that

va our *La l g on et l terreur* wa the p ... p m this case as with R besp erre *la l be té et la terr ur* But real life is evertheless c ncrete a.d introduces particula aims co que t leads t sove eity and wealth to the nferring f pre ogati es o dyna tic family and to a union f ind. duals But all this is only cont ng t and b... on sand t i to-day and to-morr w n t With all t..e pas o ate in erest he h ws the M hammedan s really indiffe ent t this social

no.hing ab des firm. Whatev curls up into a form remains ll th while tran.pare t and in t.at very instant glides away Thos dynasties were dest tut f th bo d of an rganic firm

m re g ero m aliant more devoted was ever witnessed. The part cul d termi t b- ject whi h the di dual embraces grasped by h.m en.u ly—with the *who e s ul* While E opeans e im. l d in multit d of elati ns a.d form *so to speak* bundl f them—in M ...mmedani m th indi dual is *one* pa n and *that alone* h is upe latı ly ruel unning bold, or gener us Wh e the tim t of lo e exists the is equal *ab ndon*—lov the m t fervid. The ruler wh loves th la glorifies the object f his l by la ing at hi fe t ll his magni ficen po d h u —f rgetting sceptre and th on f him b t the ther hand h will sa rifi him just a r kles ly This reckles fervo r show tself also in th gl wing

h Arab and Saracen poetry That

great r d eds Indi duals may c for what is nobl and exalted in various particu la *forms* The nthusiasm of a people fo its in dependence has also a defin te aim But abstract d th r fo e all-comp ehe i e enthus asm—

sciences attained among ... t blo m At first we ee the conquerors destr in ev rything connected w th art and science Omar is sa d to have caus d the destruct on of the no- ble Alexandrian library These books said he *either contain* wh t is in the Koran or om thing el.e in e th r cas they a e superfluous But soo aft rwa ds the Arabs became zealous in pr m ting the arts and spreadi g them every wh e The r emp re reached the umm t of its glory unde the Cal phs Al Mansur nd Harun ... n ll parts of the

sci n es At first the caliphs till m intain t.. e that impl ty and pla nness wh ch char act rized the Arab of the d sert (the Caliph Abu Bekr is partı ula ly famous in this re spe t) and wh h ck.n wl dged no dist ncti n of tation and cultur Th meanest S rac th most in..ign fica t ld woman pp oach d the caliph hi equals U flecting na et do s *not st nd m d f culture* and in rtu f the f eed m f his sp rit ea h on ustains a re lat o of equal ty t the ruler

The gre t mp e f th caliphs did not la t l g fo n the bas s p esen d by uni ersality nothin is firm. Th gre t Arab an emp e fell abo t th s..me time a that f th Fra ks thr es w e demolished by sla a d by f esh in ding h des—the Selj ks and Mo g ls—and

If these wr gs f the Greek ree w th the book f God be re useless and need be preserved f they disagree they re pern ci us and ugh to be de stroyed. —E

short while the West began to shelter itself in a political edifice of chance, entanglement and particularity, the very opposite direction necessarily made its appearance in the world, to produce the balance of the totality of spiritual manifestation. This took place in the *revolution of the East*, which destroyed all particularity and dependence, and perfectly cleared up and purified the soul and disposition; making the abstract One the absolute object of attention and devotion, and to the same extent, pure subjective consciousness—the knowledge of this One alone—[illegible]

[illegible] nature of the Oriental principle and seen that its highest being is only negative; that with it the positive imports an abandonment to mere nature, the enslavement of spirit to the world of realities. Only among the Jews have we observed the principle of pure unity elevated to a thought; for only among them was adoration paid to the One, as an object of thought. This unity then remained, when the purification of the mind to the conception of abstract spirit had been accomplished; but it was freed from the particularity by which the worship of Jehovah had been hampered. Jehovah was only the God of that one people—the God of Abraham, of Isaac and Jacob; only with the Jews had this God made a covenant; only to this people had he revealed himself. That speciality of relation was done away with in Mohammedanism. In this spiritual universality, in this unlimited and indefinite purity and simplicity of conception, human personality has no other aim than the realization of this universality and simplicity. *Allah* has not the affirmative limited aim of the Judaic God. The worship of the One is the only final aim of Mohammedanism, and subjectivity has this worship for the sole occupation of its activity, combined with the design to subjugate secular existence to the One. This One has indeed the quality of spirit; yet because subjectivity suffers itself to be absorbed in the object, this One is deprived of every concrete predicate; so that neither does subjectivity become on its part spiritually free, nor on the other hand is the object of its veneration concrete. But Mohammedanism is not the Hindu, not the monastic immersion in the absolute. Subjectivity is [illegible]

[illegible] pure adoration of the One. The object of Mohammedan worship is purely intellectual; no image, no representation of Allah is tolerated. Mohammed is a prophet but still man—not elevated above human weaknesses. The leading features of Mohammedanism involve this, that in actual existence nothing can become fixed, but that everything is destined to expand itself in activity and life in the boundless amplitude of the world, so that the worship of the One remains the only bond by which the whole is capable of uniting. In this expansion, this active energy, all limits, all national and caste distinctions vanish; no particular race, political claim of birth or possession is regarded—only man as a believer. To adore the One, to believe in him, to fast—to remove the sense of speciality and consequent separation from the Infinite, arising from corporeal limitation—and to give alms—that is, to get rid of particular private possession—these are the essence of Mohammedan injunctions; but the highest merit is to die for the faith. He who perishes for it in battle is sure of Paradise.

The Mohammedan religion originated among the Arabs. Here spirit exists in its simplest form, and the sense of the formless has its especial abode; for in their deserts nothing can be brought into a firm consistent shape. The flight of Mohammed from Mecca in the year 6[illegible] begins the Moslem era. Even during his life and under his own leadership, but especially by following up his designs after his death under the guidance of his successors, the Arabs achieved their vast conquests. They first came down upon Syria and conquered its capital Damascus in the year 634. They then passed the Euphrates and Tigris and turned their arms against Persia, which soon submitted to them. In the west they conquered Egypt, northern Africa and Spain, and pressed into southern France as far as the Loire, where they were defeated by Charles Martel near Tours in [illegible]3. Thus the dominion of the Arabs extended itself in the west. In the east they reduced successively Persia, as already stated, Samarkand and the southwestern part of Asia Minor. These conquests, as also the spread of their religion, took place with extraordinary rapidity. Whoever became a convert to Islam gained a perfect equality of rights with all Mussulmans. Those who rejected it were, during the earliest period, slaughtered. Subsequently, however, the Arabs behaved more leniently to the conquered; so that if they were unwilling to go over to Islam, they were only required to pay an annual poll tax. The towns that immediately submitted, were obliged to pay

h nos s ons those warmth of the Arab and Saracen poetry That gl w is the perfect freedom of fancy from every — h 1 f f ts object

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c mpu. ducut u u

This enthus asm s *f nat c sm* that n en t.tsiasm f r something abstract—fo an ab s' ct th ght hich su tains a ne ati e pos tio t wards the e tablished rd r of th ngs It is the essence of fanat c sm to bear nly a desolat ..g *de tructi e* elation to the con ret b t that of M hamm dani m was at the s me time capable of th gre te t elev t on—an elevation free f om all petty inte ests d united with all the rt es that pperta to magnanimity and ..lour *La el gion et la terr r* wa the princ ple in this ca e as w th Robesp erre *l l b té et la terre* But real life is n vertheless concrete and intr d s particul r aims co quest le ds to .o e gnty a d wealth to the co f rring of p erogati es o a dyn sti fam ly and t a un on f di duals But ll th s is o ly c t ge t and built o sand t s to-day and to-morrow i ot W th all the pas i ate *interest* he how the Mohammedan is really differe t to this cial f b and ru.h s in the ceaseless whi l of f rtu e In its sp e d Moh mm dani m f unded many kingd ms d dyn t s On th s bound less sea there is a c t ual o w d movement n thing ab d firm Wh te urls up int a f rm rem s all the wh l transp r t a d in t.at very ta t glides ay Tho dynasties *e de t t te f th b d f a o ganic firm* ness th kingd ms therefore did n thi g b t degenerate th indi duals th t mp s d them mply an h d. Whe e h w r a noble soul m kes t elf p m e t—like a b llow in the s rgi f the se —it m f t tself a m j esty of f ed m u h that n thing mo e n ble m e ge rou m hant m d t d was e t sed The pa t cul determ te ob ject h h the di dual emb aces is gra ped by him ent ly—w th the whol s l Wh le Eu *rope* ns a i ol ed n a m lt t d of l t o s a d form so t peak a b dle of them—in M hammedan m th di d l s *o e* pass and *th t alon* h p l t ly c u l un g bold, o gen ou Wh e th t me t of lo e exists th e sa equ l *ba d* —l e them m st f n d. The rul wh lo th l glorifi th obj t of h l by l yi g at h s f et ll his magn fi e po a d h ou —f g tt g sceptre and th o f h m b t on the th hand, h ill sa fi h m ju t reckles ly Th reckless f rv ur h s t lf al in th gl wing

dependence has also a defin te aim But ab tract — h i m—

sciences attained amo g them the r h ghe t blo m At first we see the co que ors d stroy ng everything co ected with art and sc nce Omar is said to have caused the d struction of the no *ble Al xandrian library These* bo ks aid he ther cont what is in the Kora or some thi g else in either case they are superfluou B t soon afterwards the A abs became zealous in p mot g the arts and pread ng them every whe e The r emp e reached the summ t of its glory unde the C l phs Al Mansur and Harun al Rashid. Large c t es arose in all parts of the emp e wh e commerce and ma ufactures fl shed splendid palaces were b lt a d schools c ated The l arned men of the emp e assembl d at the c liph cou t which not mere ly sho e outwardly w th the p mp of the cost *liest jewel furn tu e* and palaces but w s re spl dent w th the glory of poetry and all the sc nces At fi t the caliph st ll m int d en ti e th t mpl city and pla ess wh ch char ct d the Arab of the desert (the Caliph Abu Bekr is p rt cularly famou in this re spect) d which ackno l dg d no disti ction f tation d c lt Th meanest S cen the most in gn fi a t old wom n approached the aliph as h s eq l U efle ting na eté does ot t d e d f culture a d in rt f the freedom of h s p it each one sustai s a re l t of q al ty t th rul

The g e t emp e f the caliphs d d n t la t lo g f th ba p es t d by uni ersal ty noth g firm. The g e t Arab a emp e fell ab ut the same time a th t of the Fra ks th e w d m l h d by sla a d by fresh in ad ng hordes—the S lj ks and Mo gols—and

If h gs f th G k ree w th th bo k f God h y l d ed t be preserved if th y d sa ree th y pe us d ught t be de- royed. —E

new kingdoms founded, new dynasties raised to the throne. The Osman race at last succeeded in establishing a firm dominion by forming for themselves a firm centre in the Janissaries. Fanaticism having cooled down, no moral principle remained in men's soul. In the struggle with the Saracens European valour had idealized itself to a fair and noble chivalry. Science and knowledge, especially that of philosophy, came from the Arabs into the West. A noble poetry and free imagination were kindled among the Germans by the East—a fact which directed Goethe's attention to the Orient and occasioned the composition of a string of lyric pearls in his *Westöstlicher Divan*, which in warmth and felicity of fancy cannot be surpassed. But the East itself, when by degrees enthusiasm had vanished, sank into the grossest vice. The most hideous passions became dominant, and as sensual enjoyment was sanctioned in the first form which Mohammedan doctrine assumed, and was exhibited as a reward of the faithful in Paradise, it took the place of fanaticism. At present, driven back into its Asiatic and African quarters, and tolerated only in one corner of Europe through the jealousy of Christian powers, Islam has long vanished from the stage of history at large, and has retreated into Oriental ease and repose.

Chapter 3 *The Empire of Charlemagne*

The empire of the Franks, as already stated, was founded by Clovis. After his death, it was divided among his sons. Subsequently, after many struggles and the employment of treachery, assassination and violence, it was again united, and once more divided. Internally the power of the kings was very much increased, by their having become princes in *conquered* land. These were indeed parcelled out among the Frank freemen, but very considerable permanent revenues accrued to the king, together with what had belonged to the emperors, and the spoils of confiscation. These therefore the king bestowed as personal, i.e. not heritable, *benefices* on his warriors, who in receiving them entered into a personal obligation to him, became his vassals, and formed his feudal array. The very opulent bishops were united with them in constituting the king's council, which however did not circumscribe the royal authority. At the head of the feudal array was the *major domus*. These *majores domus* soon assumed the entire power, and threw the royal authority into the shade, while the kings sank into a torpid condition and became mere puppets. From the former sprang the dynasty of the Carlovingians. Pepin le Bref, the son of Charles Martel, was in the year 752 raised to the dignity of King of the Franks. Pope Zacharias released the Franks from their oath of allegiance to the still living Childeric III—the last of the Merovingians—who received the tonsure, i.e. became a monk, and was thus deprived of the royal distinction of long hair. The last of the Merovingians were utter weaklings, who contented themselves with the name of royalty, and gave themselves up almost entirely to luxury—a phenomenon that is quite common in the dynasties of the east, and is also met with again among the last of the Carlovingians. The *majores domus*, on the contrary, were in the very vigour of ascending fortunes, and were in such close alliance with the feudal nobility, that it became easy for them ultimately to secure the throne.

The Popes were most severely pressed by the Lombard kings, and sought protection from the Franks. Out of gratitude Pepin undertook to defend Stephen II. He led an army twice across the Alps and twice defeated the Lombards. His victories gave splendour to his newly established throne, and entailed a considerable heritage on the Chair of St. Peter. In A.D. 800 the son of Pepin—Charlemagne—was crowned Emperor by the Pope, and hence originated the firm union of the Carlovingians with the Papal See. For the Roman Empire continued to enjoy among the barbarians the prestige of a great power, and was ever regarded by them as the centre from which civil dignities, religion, law, and all branches of knowledge—beginning with written characters themselves—flowed to them. Charles Martel, after he had delivered Europe from Saracen domination, was himself and his successors dignified with the title of Patrician by the people and Senate of Rome; but Charlemagne was crowned Emperor, and that by the Pope himself.

There were now, therefore, *two empires*, and in them the Christian confession was gradually divided into two churches: the *Greek* and the *Roman*. The Roman Emperor was the born defender of the Roman Church, and this position of the Emperor towards the Pope seemed to declare that the Frank sovereignty was only a continuation of the Roman Empire.

The empire of Charlemagne had a very considerable extent. Franconia proper stretched from the Rhine to the Loire. Aquitania, south of the Loire, was in 768—the year of Pepin's death—entirely subjugated. The Frank Empire also included Burgundy, Alemannia (southern

Germ.. between t.. Lech th Maine d the Rhine) Thuringia which extended to the Saal r. Bavaria. Charlemagne likewise co que ed ... who dwelt between the Rhine and ... Weser and put an end to the Lombard do... so t... h became m ter f upper and central Italy

This great empire Charlemagne formed into a systematically organized tate and ga e the Frank dominion settled ins tutions adapted to ... t r strength ... d consistency This must however not be understood, as if he first introduced the const on of his empire in ts ...e extent, b... as implying that ... ons ... were developed ... and a tained a more decided ... unobstructed efficiency The king stood at ... of ... officers of the emp re and the ... f hereditary monarc was already recognized. The king was lik wise master of the armed force as al the largest landed proprie ... the supreme judicial power was equal ... Th *military constit on* was based on the *arriere ban* E ery freeman was bound t arm f r the d fen of th realm and had to provide fo his support in th field for certain time. This militia (as t would n w be called) was under th command of c unts and margraves w... h latter pres ded over large districts on t... borders f th empire—the Marches According... t th gen ral partitio f the country t was div ded int p ovin es [coun es] ove each f whi h ount pres ded. Over them ... under the later Ca lovingians ... dukes, w ose seats w re large ci es such C ... Ratisbon and th lik Their office ... the d... f the ... into d... thus there was a Du h f Alsatia Lorraine Frisia Thuringia Raetia. These dukes ... appointed by t... Empero Peoples that had retained their hereditary prin es f e th r ... lost t... privilege and recei ed dukes ... they evolved this wa ... case ... Alemannia Thuringia B ... and Sax on But there wa also kind f tand. g army f ... use Th ... f t... Emperor ... had the enj ... f estates on th ... f perf ... military serv when ... commanded. And wi... h ... t maintain these arrangements ... were ... by t... Emper t bserve and report ... th ... f th empire and t ... th ... f judicial ... on ... inspect the ... yal esta es.

Not les ... is t... management f the ... *f the* ... There were n direct taxe s d few tolls on ri ers and road of which several were f rmed out to the higher fficers of the emp re. Into the trea ury flowed on the one ha d judicial fines on the other hand the pecuniary sati f ctions mad fo not serving in the army t the Empe or ummons Those wh en joyed *beneficia* lo t them on neglecting this duty The chief revenu wa deri d fr m the crown land of which th Emperor had a great number on which o al palaces were erected. It had been long the cu tom for the kings to make progresses through the chief provinces and to remain fo a tim n each palatinate the due p eparations for the main ena ce of the court ha ng been already made by marshals chamberlains etc.

As regards the *adm nist at of just ce* crim inal cau es and those which cern real property were tried before the communal assembl es unde th pres dency of a c unt Those of les importance were dec ded b at lea t en free men, an electi e ben h f magi trates under the presidency of the Ce.. gra es The upreme jurisdicti belonged to the ro al tribunal o r which th king pres ded in his pal c to thes th f uda ones sp ritual and temporal we e men b The ro al commi o rs ment oned bove ga e especial att tion in their inquisitorial isits to the j dicial administrati n, heard all complaints and puni hed injustice A sp rit ual and temporal e oy had to go th ir circuit four times a year

In Charlemagn time the ecclesiastical body had already acquir d great w ght Th bi..h ps pres ded er great cathedral establi hments with which were also c ected eminaries and ch lasti institutions. F r Cha lem gn en deavoured t rest re cience then almost xtinct b p m ting the foundation f chool in t wns d illages. Pi us uls believed that they w re doing a good work d earning sal ati n b making presents t the Church in this wa the m t sa age and barbarous monarchs sou ht to a o f r thei crimes Pri at persons m t c mmonly made their fferings in th form of bequest f thei entire est t to relig us h uses stipulating f the enj yment f th usufruct only for life f pecified tim B t t ften happened that n th dea h f bi..hop or abbot, th temporal magna es and th retaine in aded th posses ns f th lergy and f d and feasted th re till all was c nsumed f e lig had n t y t u h an u h rity o r men minds as t be ble to bridle the rapacity f th pow ful. Th lergy wer bliged t ppoint t wards and bailiffs t manage th ir tates

besides this guardians had charge of all their secular concerns led their men at arms into the field and gradually obtained from the king terri torial jurisdiction when the ecclesiastics had secured the privilege of being amenable only to their own tribunals and enjoyed immunity from the authority of the royal officers of justice (the counts) This involved an important step in the change of political relations inasmuch as the ecclesiastical domains assumed more and more the aspect of independent provinces enjoying a freedom surpassing anything to which those of secular princes had yet made pretensions More over the clergy contrived subsequently to free them elves from the burdens of the state and opened the churches and monasteries as asy lums—that is inviolable sanctuaries for all of fenders This institution was on the one hand very beneficial as a protection in cases of vio lence and oppression but it was perverted on the other hand into a means of impunity for the grossest crimes In Charlemagne s time the law could still demand from conventual authorities the surrender of offenders The bishops were tried by a judicial bench consisting of bishops as vassals they were properly subject to the royal tribunal Afterwards the monastic estab lishments sought to free themselves from epis copal jurisdiction also and thus they made themselves independent even of the Church The bishops were chosen by the clergy and the religious communities at large but as they were al o vassals of the sovereign their feudal dig nity had to be conferred by him The contin gency of a contest was avoided by the obliga tion to choose a person approved of by the king

The imperial tribunals were held in the palace where the Emperor resided The sovereign him self presided in them and the magnates of h imp [illegible]

[illegible] o t mes but as occasions of fered at military reviews in the spring at ec clesiastical councils and on court days It wa e pecially these court days to which the feudal nobles were invited—when the king held his court in a particular province generally on the Rhine the centre of the Frank Empire—that gave occasion to the deliberations in question Custom required the sovereign to assemble twice a year a select body of the higher temporal and ecclesiastical functionaries but here also the king had decisive power These conventions are therefore of a different character from the im perial diets of later times in which the nobles assume a more independent position

Such was the state of the Fr[illegible]

[illegible] described looks excellent it introduced a firm military organization and pro vided for the administration of ju tice within the empire Yet after Charlemagne s death it proved itself utterly powerless—extern[illegible] fence[illegible] Hun[illegible] in re[illegible] sion[illegible] with [illegible] constitution the most deplor able condition of things and therefore confu sion in all directions Such political edifices need for the very reason that they originate suddenly the additional strengthening afforded by negativity evolved within themselves they need reactions in every form such as manifest themselves in the following period

Section II

THE MIDDLE AGES

While the *first* period of the German world ends brilliantly with a mighty empire the *sec ond* is commenced by the reaction resulting from the antithesis occasioned by that infinite fal ehood which rules the destinies of the *Mid dle Ages* and constitutes their life and pirit This reaction is *first* that of the particular na tionalities against the universal sovereignty of the Frank Empire—manifesting itself in the splitting up of that great empire The *second re action* is that of individuals against legal au thority and the executive power against subor dination and the military and judicial arrange ments of the constitution This produced the *isolation* and therefore *defencelessness* of indi viduals The universality of the power of the state disappeared through this reaction indi viduals sought protection with the powerful and the latter became oppressors Thus was gradually introduced a condition of universal dependence and this protecting relation is then systematized into the feudal system The *third eaction* is that of the Church the reaction of the spiritual element against the existing order of things Secular extravagances of passion were repres ed and kept in check by the Church but the latter was it elf secular zed in the proce and abandoned its proper position From that moment begins the introver ion of the secular principle These relations and reactions all go

to constitute the history of the Middle Ages and the culminating point of this period is *the C u* ... f r with them arises a universal in ta ... but one thro gh wh h the tates of Christendom first attain internal and external independence.

Cha ter 1 *The Feudal ty and the Hierarchy*

The *first react on* s that of particular national ... t th universal so ereignty of the F ... ks It appears indeed t first s ght as if the Frank Emp was d ded by the mere cho ce ... d rat o de

... h m ht appea unw se nc the pri ces ... weakened thei wn power—b t res ... f tho ... dist ct n tionalit es wh ch had been h ld tog ther by a nn ... bo d of ... b e mi ht d th genius of a great man Louis th Pi s so of Cha lem gn di ded the emp am g his th ee ons But s bsequently by se d marri g anothe o w s born to him—Cha l s th B ld. As he wi hed to g him lso inh rit ce wars a d co tention ose bet en Louis d hi th r s ns ose already c ... d p rti w uld h e t be dimin hed by s ch a rrangem t I th first instance th refo e pri ate t st was ... ed th test b t that f the nat on ... h composed the mp e made the e n t indifferent to them The western Franks had already identifi d th m el es w th the G l and with them rigi t d eact against the G ... Franks lso t lat r poch the part of Italy ga st the G rma By the t aty of V dun A.D 843 a di ... on f th emp e ... Cha lemagn descend ts took pl ce ... Frank Emp me p ... es ex ... ed w f m m t gain uni d und Cha les th G s It w h weve ly f ... that th w k pri c w ble to ... ld th t mp togeth t was b k up ... ma mall gnt es wh h d ... oped d main t d an depend nt po ti n These th Ki d m f It ly wh h wa ... self di ded th t Burgu dia ov e gnties —Uppe B rgundy of wh h th h f c t es w re Geneva and th n ent of St M ri V ... and Lower B rgundy b tw the Jura the Medit rran an and th Rh e—Lorra betw een th Rh e and th Me se N rm dy a d Britta y Fra e prope w hut in b ... een these sov e g t d thus l m t d did Hugh Capet find t when h ded th th e

F ... m Franconia Saxony Thur ngia Ba aria ...

Frank Emp re al o ... a g ... decay and the first t disappear was the m l ... reanizat on Soon after Ch lemagne we

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m de very f eque t in ... o s an ... country In Alf ed the G eat s time they met with g rous resista ce but subsequ tly the Danish Ki g Ca ute conquered all England The inroads of the *Normans* into France were co tempora eous with these eve ts They sailed up th S ne a d the Lo re ... light boats plundered the t wn pillaged the con ents and we t off with thei booty They beleaguered Paris itself a d the Ca lo ... kings were reduced to the b e necess ty of purcha ing a pea e In the same way they de astated the t wns ly ng on the Elbe and f om the Rh ne plunde ed Ai la Chapelle nd Cologne and made Lorrai e tributary to them The Diet of Worms in 882 did i deed i sue a general p c lamatio summon g ll subj cts to ri e n arms but they we e compelled to put up w th disgraceful c mpositi n The storms came f om the o th and the we t The eastern ide of the emp suff red from the ro ds of th *M gyars* These ba b ian peopl tra ersed the country in wa ns nd l d wa te the wh le of uth rn Germa y Th ugh Ba a a Sw b a and Switzerl d th y pe etr t d int the in t rio of Franc and ach d Italy Th *S a cens* pr s ed f rw d f m the s uth S c ly h d b en l g in th r h d they thence bta ed a firm footing n Italy m ced R me—which di rt d th att k by a c mposition—a d we e th ter o f P edmo t d Prove

...

m ns far a the J ra the Hung ri h d S t la d, a d the Sa ac Valaise Callin to m d th t ga zat on of the *arrièr b* and d ri t in jurit po tion with th s m s bl t te f thi gs we can ot fa l t b truck w th th ffc cy f all th f f med in st t t which at ch a jun t e ought to ha shown themsel s m t effect e We might

be inclined to regard the pictu of 1

u internally and externally—as a ba eless figment Yet it actually existed the entire political system being held together only by the power the greatness the regal soul of this one man not based on the spirit of the people not having become a vital element in it It was superficially induced—an *a priori* constitution like that which Napoleon gave to Spain and which disappeared with the physical power that sustained it That on the contrary which renders a constitution real is that it exists as objective freedom—the substantial form of volition—as duty and obligation acknowledged by the subjects themselves But obligation was not yet recognized by the German spirit which hitherto howed it elf only as heart and subjective choice for it there was as yet no subjectivity involvin unity but only a subjectivity conditioned by a careless uperficial self seeking Thus that constitution was destitute of any firm bond it had no objective support in subjectivity for in fact no constitution was as yet possible

This leads us to the *second reaction*—that of individuals against the authority of law The capacity of appreciating legal order and the common weal is altogether absent has no vital exi tence in the peoples themselves The duties of every free citizen the authority of the judge to give judicial decisions that of the count of a province to hold his court and inte

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1 e emagne had vanished without leaving a trace and the immed ate consequence was the general defencelessness of individuals The need of protection is sure to be felt in some degree in every well organized state each citizen knows his rights and al o knows that for the security of possession the social state is absolutely necessary Barbarians have not yet attained this sense of need the want of protection from others They look upon it as a limitation of their freedom if their rights must be guaranteed them by others Thus therefore the impulse toward a firm organization did not exist men must first be placed in a defenceless condition before they were sensible of the necessity of the organization of a state The political edifice had to be reconstructed from the very foundations The commonwealth as then organized had no vitality or firmness at all either in itself or in the minds of the people and its weakness manifested it elf in the fact that it was unable to give protection to its individual members As ob erved above the idea of duty was not present in the spirit of the Germans it had to be restored In the first inst nce volition could only be arrested in its wayw rd career in reference to the merely external point of *possession* and to make it feel the importance of the protection of the state it had to be violently dislodged from its obtuseness and impelled by necessity to seek union and a social condition. Individuals were therefore obliged to consult for themselves by taking refuge with individuals and submitted to the authority of certain powerful persons who constituted a private possession and personal sovereignty out of that authority which formerly belonged to the commonwealth As *officers of the state* the counts did not meet with obedience from tho e committed to their charge and they were as little desirous of it Only for *themselves* did they covet it They assumed to themselves the power of the state and made the authority with which they had been intrusted as a *beneficium* a heritable possession As in earlier times the kin or other magnates conferred f efs on their vassals by way of rewards now conver ely the weaker and poorer surrendered their possessions to the strong for the sake of gaining efficient protection They committed their estates to a lord a convent an abbot a bishop (*feudum oblati m*) and received them back encumbered with feudal obligations to these superiors In tead of freemen they became vassals feudal dependants and their possession a *beneficium* This is the constitution of the feudal system *Feudum* is connected with *fides* the fidelity implied in this ca e is a bond established on unju t principles a relation that does indeed contemplate a legitimate object but who e import is not a whit the less inju tice for the fidelity of vassals is not an obligation to the commonwealth but a private one—*ipso facto* therefore subject to the sway of chance caprice and violence Universal injustice universal lawlessne is reduced to a system of dependence on and obligation to individuals so that the mere formal ide of the matter the mere fact of compact constitutes its sole connection with the principle of right

Since every man had to protect himself the martial pirit which in point of external defence eemed to have mo t ignominiously vanished was reawakened for torpid it was rou ed to action partly by extreme ill u age partl by

the greed and amb on of individuals. Th alour in ow manifested itself was displa ed not in eh lf of the st but of priva interest

... ...

... L the wa jus menti ed, the powe l ... was ... ed at those points where indi ... was established, am wh h ... liberty was established ... ops and archbishops deserve special mention. The bishoprics had been freed from the jurisdiction f the judicial tribunals ... from the operations f th executive gen ... The bishops had towards n whom at ... request the emperors conferred th juris- diction which the counts had formerly exercised. Thus there were detached ecclesiastical domains —ecclesi cal d cts which belonged to a ... ... es of secula kind w re ... ly consti ted. Both occup ed th position f the prov us p ovinces or counties. Only in a few t was where c mmunities f free- ... were independent l tronger than t secure protection and safety did lies f th ancient ... on remain. W th these exceptions the free communities entirely disappeared, and became subject t the prela es o t th ounts and dukes then styled rulers kn wn as seigneurs and princes. The imperial powe was r aided in gen eral terms as som thing ry great d exalted the Emperor passed f the secular h d f en tire Christendom bu th more exalted th d al dom f the emperors the m re limit d was ... France derived extra ... ... from the f ct that t entirely repudi ated this ... ... while in Germany the advance of po cal development was hin dered by that pretension f pow The kings d emperors were ... ... f the ... ... the princ wh w indeed their vassals ... possessed sovereign and terr rial l d- ... f t eir wn Th w le social d t on there e being founded on indi dual ove ... m g be upposed that the dva ... t sta w d be pos ibl al through the return f those indi dual sovereignties t an official rela ship B t omplish that a superior power w uld ha been equired ch was n t in n ence f the f dal lords t emsel es de ermined how f they w e ill dependent on the general constit on f the ... ... f l w and ri t is valid ... longer ... b ... pow —th crude caprice f par cular opposed t uni ersally d ... t a d thus struggles against ... f rights and laws Inequality f po ...

cal pri ... the allotment being the work of the purest haphazard, is the predominant fea ture It i impossible that a monarch can rise fr m such a social conditio thr ugh the sub- jugation of the everal minor powers under the chief of the tat as uch Reversel the f rmer were graduall transf rmed in o pri cipalities and becam un ted with the prin pality of the chief thus enabling the au h rity of the kin and f the tate to sert itself Wh therefore th bo d of political uni y was still wanting the several e gneuries attained their development independently

In France the dynasty of Charlemagne like that f Clo is became extinct through the weakness of the o ere gns who repres ted it. Th d minion was finall limited to the pett

... ritorial posse ... al e At a later ... ... h purchase marriage and the dyin o of f m lies the kings became po es ed of man fe dal d mains and th r uth rit was frequentl in ... ked as a pr ection against the oppres ... f the n bles. The royal auth rit in France be- came hereditabl t an earl date because the fiefs were h rit ble thou h at firs th kings took th precaut on t ha e their ons cr wned during their lif tim Fran e wa di ided into man over ignties th Du h f Gui nne the Earldom f Flanders th Duch f G... n th Earldom f T ul use the Duchy of Bur gundy th Ea ldom f Vermand is Lorraine too had belonged t France fo some time N mandy had been eded t the Normans b the kings f Fran in rd t secure a temporary repose from thei incursi ns. From N rmandy Duke William passed o e into England d co q ed t in th ea o66 H he int o- d ed fully developed feudal constitu n—a twork whi h, to great extent compasses England even t the present da And thus the dukes f N rmand nfro d the compara tively feeb kings f France with power of no in considerabl p eten ons.—German was composed f th great d chies of Sax v Swa bia B aria Carinthia Lorraine and Burgund the marra te of Thuringia t wi h several bishoprics and ar bi eprics Each f th se d hies again was di ded in o ev ral fi f joying m e o less independence The Emperor

seems often to have united several duchies un der his immediate sovereignty The Emperor Henry III was when he ascended the throne lord of many large dukedoms but he weakened his own power by enfeoffing them to others Germany was radically a free nation and had not as France had any dominant family as a central authority it continued an elective em pire Its princes refused to surrender the privi le e of choo ing their sovereign for themselves and at every new election they introduced new restrictive conditions so that the imperial power was degraded to an empty shadow In Italy we find the same political condition The German emperors had pretensions to it but their au thority was valid only so far as they could sup port it by direct force of arms and as the Italian cities and nobles deemed their own advantage to be promoted by submission Italy was like Germany divided into many larger and smaller dukedoms earldoms bishoprics and eunes

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until bc o ercome by the Normans Spain maintained a contest with the Saracens either defensive or victorious through the whole mediæval period till the latter finally succumbed to the more matured power of Christian civili zation

Thus all ri ht vanished before individual might for equality of rights and rational legis lation where the interests of the political total ity of the state are kept in view had no ex istence

The *third reaction* noticed above was that of the element of universality against the real world as split up into particularity This reac tion proceeded from below upward —from that condition of isolated possession itself and was then promoted chiefly by the Church A sense of

y the unsanctioned mi ht of individuals had any validity men could find no repose and Christendom was so to speak agitated by the tremor of an evil con science In the eleventh century the fear of the approaching final judgment and the belief in the peedy dissolution of the world spread through all Europe This dismay of soul im pelled men to the mo t irrational proceedings Some bestowed the whole of their possessions on the Church and passed their lives in continual penance the majority dissipated their worldly all in riotous debauchery The Church alone in creased its riches by the hallucinations, through donations and bequests

About the same time too terrible famines swept away their victims human flesh w

the centre of Christendom pre sented the most revolting aspect Every virtue was alien to the times in question con equently *virtus* had lost its proper meaning in common use it denoted only violence and oppres ion sometimes even libidinous outrage This corrupt state of things affected the clergy equally with the laity Their own advowees had made them selves masters of the ecclesiastical estates in trusted to their keeping and lived on them quite at their own pleasure restrictin the monks and clergy to a scanty pittance Monasteries that re fused to accept advowees were compelled to do so the neighbouring lords taking the office upon themselves or giving it to their sons Only bi h ops and abbots maintained themselves in pos session being able to protect themselves partly by their own power partly by means of their retainers since they were for the most part of noble families

The bishoprics being secular fiefs their oc cupants were bound to the performance of im perial and feudal service The investiture of the bishops belonged to the sovereigns and it was their interest that these ecclesiastics should be attached to them Whoever desired a bishopric therefore had to make application to the king and thus a regular trade was carried on in bi h oprics and abbacies Usurers who had lent money to the sovereign received compensation by the bestowal of the dignities in question the worst of men thus came into possession of spir itual offices There could be no question that the clergy ou ht to have been chosen by the reli gious community and there were always influen tial persons who had the right of electing them but the king compelled them to yield to his or ders Nor did the papal dignity fare any better Through a long course of years the counts of Tu culum near Rome conferred it on members of their own family or on persons to whom they had sold it for large sums of money The state of things became at last so intolerable that lay men as well as ecclesiastics of energetic char acter opposed its continuance The Emperor Henry III put an end to the strife of factions by nominating the Popes himself and support ing them by his authority in defiance of the op position of the Roman nobility Pope Nicholas

II decreed that the Popes should be chosen by the cardinals; but as the latter partly belonged to dominant families, similar contests ... continued to accompany their election. Gregory VII (already famous as Cardinal Hildebrand) sought to secure the independence of the Church in this fearful condition of things by two measures especially. *First* he enforced the *celibacy of the clergy*. From the earliest times it must be observed, the opinion had prevailed that it was commendable and desirable for the clergy to remain unmarried. Yet the annalists and chroniclers inform us that this requirement was but indifferently complied with. Nicholas II had indeed pronounced the married clergy to be a new sect; but Gregory VII proceeded to enforce the restriction with extraordinary energy, excommunicating all the married clergy and all laymen who should hear Mass ... officiated. In this way the ecclesiastical body was shut up within itself and excluded from the morality of the State. His *second* measure was directed against *simony* ... the sale of or arbitrary appointment to bishoprics and to the Papal See itself. Ecclesiastical offices were henceforth to be filled by the clergy who were ... of administering them, an arrangement which necessarily brought the ecclesiastical body into violent collision with secular sovereigns.

These were the two grand measures by which Gregory purposed to emancipate the Church from a condition of dependence and exposure to secular ... But Gregory made still further demands on the secular power. The transference of benefices to a new incumbent was to receive validity simply in virtue of his ordination by his ecclesiastical superiors, and the Pope was to have exclusive control over the vast property of the ecclesiastical community. The Church as ... divinely constituted power laid claim to supremacy over secular authority — ... that claim on the abstract principle that the divine is superior to the secular. The Emperor at his coronation — a ceremony which the Pope should perform, was obliged to promise upon oath that he would always be obedient to the Pope and the Church. Whole countries and states, such as Naples, Portugal, England, and Ireland came into formal relation of vassalage to the papal chair.

Thus the Church obtained an independent position; the bishops convoked synods in the various countries, and in these convocations the clergy found a permanent centre of unity and support. In this way the Church attained the most influential position in secular affairs. It arrogated to itself the award of princely crowns and assumed the part of mediator between sovereign powers in war and peace. The contingencies which particularly favored such interventions on the part of the Church were the marriages of princes. It frequently happened that princes wished to be divorced from their wives; ... for such a step they needed the permission ...

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By the introduction of the ... feuds and private revenge were suspended for at least certain days in the week, or even for entire weeks; and the Church maintained this ... ... eats ... the ...

Church brought it however into a relation to ...

... of the bishops and on occasion of opposition on the part of vassals to the violence and caprice of princes, the former had the support of the Pope. But in these proceedings the Church brought to bear against opponents only a force and arbitrary resolve of the same kind as their ...

... were apt to intrude as matters of ecclesiastical intervention. They therefore stood by the Church as far as they deemed it their interest to do so; otherwise they showed no great dread of excommunication or other ghostly terrors. Italy was the country where the authority of the Popes was least respected, and the worst usage they experienced was from the Romans themselves. Thus what the Popes acquired in point of land and wealth and direct sovereignty, they lost in influence ... donations ...

We have then to probe to its depths the *spiritual element* in the Church — the form of its power. The essence of the Christian principle

has already been unfolded it is the principle of mediation Man realizes his spiritual essence only when he conquers the natural that attaches to him This conquest is possible only on the suppo ition that the human and the divine na ture are essentially one and that man so far as he is spirit also possesses the es entiality and substantiality that belong to the idea of deity The condition of the mediation in question is the consciousness of this unity and the intui tion of this unity was given to man in Christ The obje t to h

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for present the piece of bread con ecrated by the priest is the present God subjected to human contemplation and ever and anon offered up One feature of this representa tion is correct inasmuch as the sacrifice of Christ is here regarded as an actual and eternal tran action Christ being not a mere sensuous and single but a completely universal i e di vine *indi iduum* but on the other hand it in volves the error of isolating the sensuous phase for the Host is adored even apart from its being partaken of by the faithful and the presence of Christ is not exclusively limited mental vision and spirit Justly therefore did the Lutheran Reformation make this dogma an especial ob ject of attack Luther proclaimed the great doc trine that the Host had spiritual value and Christ was received only on the condition of *faith* in him apart from this the Host he af firmed was a mere external thin possessed of no greater value than any other thin But the Catholic falls down before the Host and thus the merely outward has sanctity ascribed to it The Holy as a mere thing has the character of externality thus it is capable of bein taken possession of by another to my exclu ion it may come into an alien hand since the process of appropriating it is not one that takes place in spirit but is conditioned by its quality as an external object The highest of human blessings is in the hands of others Here arises *ipso facto* a separation between those who possess this blessing and those who have to receive it from others—between the *clergy* and the *laity* The laity as such are alien to the divine This is the absolute schism in which the Church in the Mid dle Ages was involved it arose from the recog nition of the holy as something external The clergy impo ed certain conditions to which the laity must conform if they would be partakers of the holy The entire development of *doct ine*

piritual insight and the knowled e of divi thin s belonged exclu ively to the Church i has to ordain and the laity have imply to be lieve obedience is their duty—the obedience of faith without insight on their part Th position of things rendered faith a matter of external legislation and resulted in com

t and on the same principle they re severed from the holy in every form For on the same principle as that by which the clergy are the medium between man on the one hand and God and Christ on the other hand the lay man cannot directly apply to the divine being in his prayers but only through mediators—human beings who conciliate God for him the dead the perfect—*Saints* Thus originated the adoration of the Saints and with it that con glomerate of

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the imagination but the coar er natures of the West desired something more immediate as the object of their contemplation and thus aro e the worship of relics The con equence was a formal resurrection of the dead in the mediæval period every pious Christian wi hed to be in possession of such sacred earthly remain Amon the Saints the chief object of adoration was the *Virgin Ma y* She is certainly the beau i ful concept of pure love—a mother s love but spirit and thought stand higher than even thi and in the worship of this conception that of God in pirit was lost and Christ him elf was set aside The element of mediation between God and man was thus apprehended and held as something external Thus through the perversion of the principle of freedom ab olute slavery be came the establi hed law The other a pects and relations of the spiritual life of Europe during this period flow from this principle Knowledge comprehension of religious doctrine is one thing of which spirit is judged incapable it i the exclusive posse sion of a class which has to determine the true For man may not pre ume to stand in a direct relation to God o that as we said before if he would apply to Him he needs a med ator—a saint This view imports the denial of the es ential unity of the divine and human since man as uch is declared in capable of recognizing the d vine and of ap proaching thereto And while humanity is thus

separated from the supreme good, no .. re of him, as such, is ins.. ed upon—f .. this would express t.. the unity of the d.. e and th.. human is to be found in man him.elf—but the means of H..l are exhib.. ed to man in the most .. .. .. occurs to .. ce him to escape f om ..., .. not by moral amendment, but .. virtue d something external—the "means of grace" These h.. ever a.. an *operatum* to the ... .. confessor must furn..h him .. them. The individual has t.. c nfess .. to expose all the par culars of his life t.. .. ew f the confesso .. and .. course he has t pursue .. spiritual safe.. Thus the Church took .. place of conscience t put men in leading .. children, and told them that man could not be freed from the t rments which his ..s had mer ed by an amendment .. his own moral condition, but by outward .. ctions, *opera* .. actions w.. .. were not the promp.. .. his own good will, but performed by .. of the minis ers of the Church .. being Mass doing penan.. e go.. through a certain number o prayers undertaking pilgrim.. .. actions which are unspiritual .. .. the soul, and which are not only mere external .. but are such as can be even .. .. easily performed. The supererog.. .. works as-.. .. ould be purchased, and the spiritual advan.. .. which they mer ed, secured .. the purchaser. Thus was produced an u.. er derangement f all that is recognized as good .. moral in the Christian Church only external requirements are insisted upon, and these can be complied with in .. mere.. external way. A .. the very reverse f freed m is in .. the principl.. f freedom .self.

With this perversion is connected .. e absolute severance .. the spiritual from the secular .. generally There .. re tw d.. .. .. the .. .. in the heart and .. .. f .. y and the social .. hical whose .. ment and .. her is secular ex.. enc.. I is science .. that can .. mprehend the kingdom f God and the soci.. m ral wo .. d .. on .. dea and .. recognizes the f ct that the .. ourse .. f time .. .. .. process ever tending t .. the .. .. f this unity. But piety as such has .. do with the secu.. .. t .. make .. in that .. .. on .. mission of mercy but .. steps .. short of .. strict socially .. al connect on with .. does .. ot come up t .. idea .. f freedom. Religious feeling is ex.. .. .. history and has no history .. .. recognizing

self in .. subjective freedom, as the ec.. .. of social m ral.. in the .. e In th.. middl.. ages the embodying of the divine in .. ctual life .. the .. .. no .. harmonized. .. was wanting the .. .. was represented as worthless. Social m rality .. represen ed as .. and .. in .. three most essential particulars.

One phase .. f social moral.. .. is that connected with love—.. h the emotions called forth in the *marriage relation*. It is not proper to say tha.. .. .. is c.. trary to na ure but that .. is ad.. .. to social moral.. .. Marriage was indeed reck ned b.. the Church among the sacramen.. but notwi .. .. position thus assigned .. was degraded, inasmuch a.. celibacy was reckoned as the more h.. .. A second point of social m rality is presen ed in *activity*—the .. man has t perf rm for his sub.. ence .. His dign .. con.. in his depending entirely on .. diligence condu.. t, and i.. elligence for the supply of his wa.. .. direct contravention of this princip.. .. *pauperism* .. inactivity was regarded as nob er .. th.. immoral thus recei ed the .. amp of consecration. A *third* po.. of moral.. .. is that *obedience* be rendered to t.. e m ral and rational, a.. an obedience to laws wh.. h I recognize as ju.. .. .. t be no.. that blind and unconditional .. mpliance wh.. h does n t kn w wh.. t it is doing .. and whose course .. f action is a m re groping about with .. clear consciousness or i.. elligence. But .. was exactly this la ter kind of .. bedience tha..

obedience of freedom.

In this wa.. the three .. ws of .. astity pov..erty and obedience turned out th.. .. ery opposi.. .. f wh.. they assumed to be .. and in them all social moral.. was degraded. The Church was

.. e u.. er absen.. e .. f respect fo.. conscience .. .. and .. .. racted .. .. of things .. f which the entire his.. ry of the period is the p.. ture in detail.

According t.. the .. bove, the Church of the Middle Ages exhib.. .. self as .. .. .. d *self contradiction*. For subjective .. although testifying .. f the abso.. .. is a.. the same time .. d and definit.. ly ex.. ing .. as in .. gence and will. Its limita.. on begins in .. s t.. .. ing up this distinctive pos.. on, a d here .. .. .. y be.. .. .. contradict.. .. and ..

has already been unfolded it is the principle of mediation Man realizes his spiritual essence only when he conquers the natural that attaches to him This conquest is possible only on the supposition that the human and the divine nature
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The [illegible] of the mediation in question is the consciousness of this unity and the intuition of this unity was given to man in Christ The object to be attained is therefore that man should lay hold [illegible]
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forth as actually present the piece of bread consecrated by the priest is the present God subjected to human contemplation and ever and anon offered up One feature of this representation is correct inasmuch as the sacrifice of Christ is here regarded as an actual and eternal transaction Christ being not a mere sensuous and single but a completely universal *i e* divine *individuum* but on the other hand it involves the error of isolating the sensuous phase for the Host is adored even apart from its being partaken of by the faithful and the presence of Christ is not exclusively limited mental vision and spirit Justly therefore did the Lutheran Reformation make this dogma an especial object of attack Luther proclaimed the great doctrine that the Host had spiritual value and Christ was received only on the condition of *faith* in him apart from this the Host he affirmed was a mere external thing possessed of no greater value than any other thing But the Catholic falls down before the Host and thus the merely outward has sanctity ascribed to it The Holy as a mere thing has the character of externality thus it is capable of being taken possession of by another to my exclusion it may come into an alien hand since the process of appropriating it is not one that takes place in spirit but is conditioned by its quality as an external object The highest of human blessings is in the hands of others Here arises *ipso facto* a separation between those who possess this blessing and those who have to receive it from others—between the *clergy* and the *laity* The laity as such are alien to the divine This is the absolute schism in which the Church in the Middle Ages was involved it arose from the recognition of the holy as something external The clergy imposed certain conditions to which the laity must conform if they would be partakers of the holy The entire development of *doctr[illegible]e* spiritual insight and the knowled e of divine things belonged exclusively to the Church it has to ordain and the laity have simply to believe obedience is their duty—the obedience of faith without insight on their part This position of things rendered faith a matter of external legislation and resulted in compulsion and the stake

The generality of men are thus cut off from the Church and on the same principle they are severed from the holy in every form For on the same principle as that by which the clergy are the medium between man on the one hand and God and Christ on the other hand the layman cannot directly apply to the divine being in his prayers but only through mediators—human beings who conciliate God for him the dead the perfect—*Saints* Thus originated the adoration of the Saints and with it that con[illegible]

come popular [illegible]

the imagination but the coarser natures of the West desired something more immediate as the object of their contemplation and thus arose the worship of relics The consequence was a formal resurrection of the dead in the mediæval period every pious Christian wished to be in possession of such sacred earthly remains Among the Saints the chief object of adoration was the *Virgin Mary* She is certainly the beautiful concept of pure love—a mother s love but spirit and thought stand higher than even this and in the worship of this conception that of God in spirit was lost and Christ himself was set aside The element of mediation between God and man was thus apprehended and held as something external Thus through the perversion of the principle of freedom absolute slavery became the established law The other aspects and relations of the spiritual life of Europe during this period flow from this principle Knowledge comprehension of religious doctrine is something of which spirit is judged incapable it is the exclusive possession of a class which has to determine the true For man may not presume to stand in a direct relation to God so that as we said before if he would apply to Him he needs a mediator—a saint This view imports the denial of the essential unity of the divine and human since man as such is declared incapable of recognizing the divine and of approaching thereto And while humanity is thus

separ ed from the supreme good no ha ge of mon—f r thi w uld he the ost om tue ce ity

These h ever are an *arcan* a e—the co fessor must furn sh him h t em. The di id al ha to confess is bound to expose all the part culars of h life d te k ig an i o

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the soul and which are n t only me ext rnal ceremonies but a e uch as can be e en carr Th me orit ry w k as

derangement f all that s e nized a good and m ral the Chri tia Ch ch o ly extern l requ ements re insi ted upo nd th e can be c mpli d with n me ely ext rn l way A dit th ery re ers f freedom n truded int th p in pl f f eedom tself

W th this perver co ne ted the bso- l te eparat f th p tu l fr m th sec lar p c pl g lly The re t o di e king dom —th t ll tual in th h rt d gn u e f culty d the c lly thi al wh e ele ment d ph e se la exi t ce It s ence l th t can c mp h d th ki gd m of G d d th oually m ral o ld ne dea d that ecogni th f t th t the cours f t me has t es ed process e e te di g t the ealizat on f th unity B t p ty as h has thing t do with th cula it may make pe that ph a mi f mercy b t thi tops h rt f a stri t socially ethical nnect th t—does t m up to th dea f f eed m R l gi us f l g i traneous c h t ry a d h s n hist ry f hi tory is rath th emp f p rit c gnizing

itself in its *s bjective* freedom as the economy of soc al moral ty in the state In the middle h t embody g of the d vine in actual l fe ed

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reckoned by the Church am o g but notwith tanding the position thus ass gned at it was degraded ina much as celibacy was reck o ed as the more holy state A seco d point of so al morality is prese ted in *act ty*—the wo kman h s to perform for h s sub stence His dign ty consi ts in h s depend ng enti ely on his dil gence conduct and intelligence for the supply of his wants In direct contra ention of this principle *paupe ism* la ness inacti ity was r garded as nobler and the immoral thus recei ed the stamp of co ecrat on A *th rd* poi t of m ral ty is that *obed ence* be rendered to the m ral and rational as an obedience to laws wh ch I recognize as just that it be not that bl d and uncond t onal compliance wh ch d es n t kn w what it is doing and whose c urse of act on is a me e grop g about with out clear co sc u ness or intell ge ce But it was exactly th s l tte k d of obedience that pas ed for the mo t pleas g to God a doct ne th t exalts the obedie ce of sla ery mpo ed by th arbit ary ill f the Chu ch abo e the t ue bedience of freedom

I this way the thr vows of chastity pov rt a d ob die ce t rned ut the ery opposite of what th y s med to be and in them all c l mo al ty w degraded The Church w s

ce tte b e e of re pect for consc ence hamele es d a dist a ted state of things of h ch th nt hi tory of th pe iod is the p tur in d tail

A di g t the b e the Chu ch of the M ddl Age xhib ts tself s a m nif ld *s lf cont ad ct on* For bject e p nt although test fy g of the ab l t s at th same t me *l m ted* d d fin tely e st ng sp nt as telli ge a d w ll Its lim t ti begi s in t tak ing up thi d t t e po t and he e c n s taneo ly beg ns its c t dictory d self

alienated phase for that intelligence and will are not imbued with the truth which appears in relation to them as something *given* This externality of the absolute object of comprehension affects the consciousness thus that the absolute object presents itself as a merely
ous
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val absolute demand is made upon spirit The second form of the contradiction in question has to do with the relation which the Church itself sustains The true spirit exists in man—is *his* spirit and the individual gives himself the certainty of this identity with the absolute in worship—the Church sustaining merely the relation of a teacher and directress of this worship But here on the contrary we have an ecclesiastical body like the Brahmins in India in possession of the truth—not indeed by birth but in virtue of knowledge teaching and training—yet with the proviso that this alone is not sufficient an external form an unspiritual title being judged essential to actual possession This outward form is ordination whose nature is such that the consecration imparted inheres essentially like a sensuous quality in the individual whatever be the character of his soul—be he irreligious immoral or absolutely ignorant The third kind of contradiction is the Church itself in its acquisition as an outward existence of possessions and an enormous property—a state of things which since that church despises or professes to despise riches is none other than a lie

And we found the state during the mediæval period similarly involved in contradictions We spoke above of
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posse sor for passion and physical force assume an independent position and own no subjection to that merely abstract conception But *secondly* the bond of union which holds the mediæval state together and which we call fidelity is left to the arbitrary choice of men s disposition which recognizes no objective duties Consequently this fidelity is the most *unfaithful* thing possible German honour in the Middle Ages has become a proverb but examined more closely as history exhibits it we find it a veritable *Punica fides* or *Græca fides* for the princes and vassals of the Emperor are true and honourable only to their selfish aims individual advantage and passions but utterly untrue to the Empire and the Emperor because in fidelity in the abstract their subjective caprice receives a sanction and the state is n

piety—religious devotion the most beautiful in outward aspect and springing from the very depths of sincerity —and on the other hand a barbarous deficiency in point of intelligence and will

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val per the polemical zeal with which its excellence is contended for is one of the absurdities of our times Primitive barbarism rudeness of manners and childish fancy are not revolting they simply excite our pity But the highest purity of soul defiled by the most horrible barbarity the truth of which a knowledge has been acquired degraded to a mere tool by falsehood and self seekin that which is most irrational coarse and vile established and strengthened by the religious sentiment—this is the most disgusting and revolting spectacle that was ever witnessed and which only philosophy can comprehend and so justify For such an antithesis mus arise in man s consciousness of the holy while this consciousness still remains primitive and immediate and the profounder the truth to which spirit comes into an *implicit* relation while it has not yet become aware of its own presence in that profound truth so much the more alien is it to itself in this its unknown form but only as the result of this alienation does it attain its true harmonization

We have then c
reaction of
of the time
that it only subjects to itself that against which it reacts—does not reform it While the spiritual repudiating its proper sphere of action has been acquiring secular power a secular sovereignty has also consolidated it elf and attained a systematic development—the *feudal system* As through their isolation men are reduced to a dependence on their individual power and mi ht every point in the world on which a human being can maintain his ground becomes an *energetic* one While the individ al still remains

destitute of the defence of laws and is protected only by his own exertion life activity and excitement everywhere manifest themselves. As ... certain ... eternal ... ratio ... the ... of the Church, and to this end ... obey it only in its spiritual requirements ... their ardour in the pursuit of worldly ... increases on the other hand, in inverse proportion to their fear of its p... any ... the ... weal for the Church ... when required, for oppressive ... and vicious actions of all kinds

The period from the eleventh to the thirteenth century witnessed the ... of an impulse which developed itself in various forms The inhabitants of various districts began to build enormous churches—cathedrals erected to contain the whole community Architecture is always the first ... the ... phase the domi...

gan to develop itself from the protective relation of feudal protection ... freedom originated in its direct contrary The feudal lords ... great barons enjoyed properly speaking no free or absolute possession any more than their dependents they had unlimited power over the latter but at the same time they also were vassals of princes higher and mightier than themselves and to whom they were under engagements—which, it must be confessed, they did not fulfil except under compulsion. The ancient Germans had known of none other than free possession but this principle had been perverted into its ... now for the first time we

a bell was suspended the ringing of the bell was

... and thus animated the productive industry of their citizens at home. The sciences began in some degree to revive the ... scholastic philosophy was in its glory Schools for the study of law were founded at Bologna and other places as also for that of medicine It is on the rise and growing importance of the towns that all these ... depend as their main condition ... subject of historical treatment in modern times And the rise of such communities was greatly desiderated. F... the towns like the Church, present themselves as reactions against feudal power ... the earliest legally and regularly constituted power Mention has already been made of the fact that the possessors of power compelled others to put themselves under their protection ... centres of safety ... castles churches and monasteries and such were elected ... who needed protection. These now became burghers and entered ... the lords of such castles ... bodies. Thus firmly established ... was formed in many places. Many cities ... places still existed in Italy in the south of France and in Germany on the Rhine which dated their existence from the ancient Roman times and which originally possessed municipal rights but subsequently lost them under the rule of feudal governors The citizens like their rural neighbors had been reduced to vassalage

The principle of free possession however be...

stitution of a municipal government consisting of magistrates jurors consuls and the establishment of a common treasury the imposition of taxes tolls etc. Trenches were dug and walls built for the common defence and the citizens are forbidden to erect fortresses for themselves individually In such a community handicrafts as distinguished from agriculture find their proper home Artisans necessarily soon attained ... superior position to that of the tillers of the ground, for the latter were forcibly driven to work the former displayed activity really their own and a corresponding diligence and interest in the result of their labours Formerly artisans had been obliged to get permission from their liege lords to sell their work, and thus earn something for themselves they were obliged to pay them a certain sum for this privilege of market besides contributing a portion of their gains to the baronial exchequer Those who had houses of their own were obliged to pay a considerable quit-rent for them ... all that was imported and exported, the nobility imposed large tolls and for the security afforded to travellers they exacted safe-conduct monies When at a later date these communities became stronger all such feudal rights were purchased from the nobles or the cession of them compulsorily extorted by degrees the towns secured an independent

ı uıııstances The trading class subsequently divided itself into *guilds* to each of which were attached particular rights and obligations The factions to which episcopal elections and other contingencies gave rise very often promoted the attainment by the towns of the rights above mentioned As it would not infrequently happen that two rival bishops were elected to the same see each one sought to draw the citizens into his own interest by

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position but the citizens resisted the usurpation and secured the government to themselves The rich citizens (*populus crassus*) now excluded the nobility from power But in the same way as the party of the nobility was divided into factions—especially those of Ghibellines and Guelfs of which the former favored the Emperor the latter the Pope—that of the citizens also was rent in sunder by intestine strife The victorious faction was accustomed to exclude its vanquished opponents from power The *patrician* nobility which supplanted the feudal aristocracy deprived the common people of all share in the conduct of the state and thus proved itself no less oppressive than the original noblesse The history of the cities presents us with a continual change of constitutions according as one party among the citizens or the other this faction or that got the upper hand Originally a select body of citizens chose the magistrates but as in such elections the victorious faction always had the greatest influence no other means of securing impartial functionaries was left but the election of foreigners to the office of judge and *podèsta* It

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tious to gratify their passions and in a few years were once more deprived of their supremacy

Thus the history of these cities presents on the one hand in individual characters marked by the most terrible or the most admirable features an astonishingly interesting picture on the other hand it repels us by assuming as it unavoidably does the aspect of mere chronicles In contemplating the restless and ever varying impulses that agitate the very heart of these cities and the continual struggles of factions we are astonished to see on the other side industry commerce by land and sea in the highest degree prosperous It is the same principle of lively vigour which nourish
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tim the cities where a social organization on a basis of right was first resuscitated as powers reacting against the authority of princes and feudal lords Against these two rising powers there followed a reactionary movement of princely authority the Emperor now enters on a struggle with the Pope and the cities The Emperor is recognized as the apex of Christian secular power the Pope on the other hand as that of ecclesiastical power which had now however become as decidedly a secular dominion In theory it was not disputed that the Roman Emperor was the head of Christendom—that he possessed the *dominium mundi*—that since all Christian states belonged to the Roman Empire their princes owed him allegiance in all reasonable and equitable requirements However satisfied the emperors themselves might be of the validity of this claim they had too much good sense to attempt seriously to enforce it but the empty title of Roman Emperor was a sufficient inducement to them to exert themselves to the utmost to acquire and maintain it in Italy The Othos especially cherished the idea of the continuation of the old Roman Empire and were ever and anon summoning the German princes to join them in an expedition to Rome with a view to coronation there an undertaking in which they were often deserted by them and had to undergo the shame of a retreat Equal disappointment was experienced by those Italians

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Chapter 2 *The Crusades*

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a select body of citizens chose the magi trates but as in such elections the victorious faction always had the greatest influence no other means of ecuring impartial functionaries was left but the election of foreigners to the office of judge and *podestà* It also frequently happened that the cities chose foreign princes as supreme seigneurs and intru ted them with the *signoria* But all of these arrangements were only of short continuance the princes soon mi u ed their sovereignty to promote their own ambitious designs and to gratify their passions and in a few years were once more deprived of their supremacy

Thus the history of these cities presents on the one hand in ind vidual characters marked by the most terrible or the most admirable features an astonishingly interesting picture on the other hand it repels us by assum

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dwindled way and only a l ... n sa ple. F r rational ons derati ns were o t of the questi n th mass f them belie ed that God would be th immedi te guide and pr tecto Th most triking pr of that enthu ... m almost robbed th nati s f Eu pe f their senses is s pplied b the fa t that at Lter time troops of hildren ran away f om their parents and went to Marseill s there to take ship f r the H ly La d. F w rea hed it the rest w sold by th merchants t the Sara ens as sla es.

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blood f th sl ht d inh bitants f Jeru salem th Chri t f ll down on their fa es at th t mb f th R d em a d di cted their fervent uppli ti ns t him

Th did Christ d m m into the posses-s f t hi best good. J rusalem was mad a kin dom d th t feudal y tem w in trod ed there—a tion whi h in p s e f the en was rtainly the worst that ud be dopt d. An th r Crusad in the year 04 es lted th quest f Con tan tinop d th establ hment f Lat Em p th Ch tend m th f re had ppea ed l gi us g t ld w veritably walk un b ru t d th foot teps f the S ur Wh l h ploads f earth were b ht f m the H ly La d t Europe Of Chri t him elf n more l relics ould be bta d, f he was risen th S cred Handker hief the C oss and lastly the Sepulchre wer the most en rated memorials But in the grave is found the real point of retro ers on it is in the gra e that all the vanity of the ensuous perishes At the Holy Sepulchre th vanity of opinion passes away there all is seri usness I the negation of that *d fi te and prese t embod ment* i e of the — question cation t e find its s sepul d time the resp nse gi en to the ... en they s ught the body of the Lo d the e *W hy seek ye the l ng amo g the dead? He is not here* look, fo the princi e

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sc ousne alo e and in n es e ... t the definit form in question prese ti g the un on f th se ular with the eternal is th spiritual elf-c gnizant independ nce of the in d vidual. Thus th wo ld attains the c nvict on

authorization d claim t det rmine f r itself the elat on t the di ine This then was the abs lut es lt of the Crusades d from th m w may dat th c mm n ement f self reliance Th West had an

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Crusades f the kind, bearing somewhat the ch ra te f wars with ew to mere secular q est b t whi h in l ed a religi us inter es l o w th ont ts waged by Spain gain t th S ce in the penin ula tself The Chri t ans h d been shut up in a corn by the

All b m cti ns projects, ns te. begin be brou ht t the ba f "p nc ple"—the sa etum f subjectivity—f absol decisi on their m ts instead f bein ref rred an extraneous thority

manifesting itself in Christendom and which drove it out of itself To understand this want we must revert to the nature of the Christian religion itself and particularly to that aspect of it by which it has a footing in the present in the consciousness of its votaries

The objective doctrines of Christianity had been already so firmly settled by the councils of the Church that neither the mediæval nor any other philosophy could develop them further except in the way of exalting them intellectually so that they might be satisfactory as presenting the *form* of thought And one es ential point in this doctrine was the recognition of the divine nature as not in any sense an *other world* existence but as in unity with human nature in the present and actual But this presence is at the same time exclusively spiritual presence Christ as a particular human personality has left the world his *temporal* existence is only a past one —*i e* it exists only in mental conception And since the divine existence on earth is essentially of a s

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of Ch calls himself only the Servant of Servants How then did the Church realize Christ as a *definite and present existence?* The principal form of this realization was as remarked above the Holy Supper in the form it presented as the Mass in this the life suffering and death of the actual Christ were verily present as an eternal and daily repeated sacrifice Christ appears as a definite and present existence in a sensuous form as the *Host* consecrated by the priest so far ll

of God) In all places therefore there will occur manifestations of the heavenly in specially gracious appearances the stigmata of Christ s Passion etc and the divine will be realized in *miracles* as detached and isolated phenomena In the period in question the Church presents the aspect of a world of miracle to the community of devout and pious persons natural existence has utterly lost its stability and certainty rather absolute certainty has turned against it and the divine is not conceived of by Christendom und

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and deta n on the rational form of existence is utterly perverted

In this complete development of the Church *we* may find a deficiency but what can be felt as a want by *it?* What compels *it* in this state of perfect satisfaction and enjoyment to wish for something else within the limits of its own principles—without apostatizing from itself? Those miraculous images places and times are only isolated points momentary appearances—are not an embodiment of deity not of the highest and absolute kind The Host the supreme manifestation is to be found indeed in innumerable churches Christ is therein transubstantiated to a present and particular existence but this itself is of a vague and general character it is not his actual and very presence as particularized in *space* That presence has passed away as regards *time* but as patial and as concrete in *space* it has a mundane permanence in this particular spot this particular village etc It is then

u is conditioned by the limitations of particularity—that the Host this *thing* is set up to be adored as God The Church then might have been able to content itself with this sensuous presence of deity but when it is once granted that God exists in external phenomenal presence this external manifestation immediately becomes infinitely varied for the need of this presence is infinite Thus innumerable instances will occur in the experience of the Church in which Christ has appeared to one and another in various places and still more frequently his divine Mother who as standing nearer to humanity is a second med ator between the Mediator and man (the miracle working images of the Virgin are in their way Hosts since they supply a benign and gracious presence

to Christendom that the holy places and the Sepulchre of Christ in particular are not in possession of the Church In this feeling Christendom was united consequently the *Crusades* were undertaken whose object was not the furtherance of any special interests on the part of the several states that engaged in them but simply and solely the conquest of the Holy Land

The West once more sallied forth in ho tile array against the East As in the expedition of the Greeks against Troy so here the invading hosts were entirely composed of independent feudal lords and knights though they were not unit d d

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dert king whose object was the securing of the

k m er ster easter e—the real culmina tte c mdv cual v This bject impelled the West ann the East, and this is th essential ..rest of t.. Crusades

The first and immedia e *commencement* of the Crusades was made in th West itself Many thousands of *Jews* were massacred, and their property seized and after this terribl pre ud Ch endom began its march. The monk, Pe er the Hermit of Amiens, led the way with an im mense troop of rabble. This host passed in the greatest disorder through Hungary and robbed and plundered as they went but their numbers dwindled awa and only a few reached Con stantinople. For rational con derations were out of the question the mass of them believed t God would be their immediat guide and

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..p for the Holy Land. Few rea .eu t the rest were sold by th merchants t the Saracens as slaves.

At last with much trouble and immense loss more regular armies attained th desired object they beheld them. I es in possession of all the holy places f n e—Bethlehem Gethsemane Golgotha, and even the *Ho y Sepulch e* In the whole expedition, in all th cts f th Christians, appeared that en rmous ntra t (a fea ture charact ris f t ge)—the transition on the part of the crusading host from the greatest excesses and outragest the prof undest con t on and humiliation Still dripping with th blood of t ..ttr red inhab ..ts of Jeru salem, th Chr tians f ll down on t.. ir f ces at the tomb f t.. Redeeme and directed their fervent upplica ns t him.

Thus did Chri endom com int the posses sion f .s highes good. Jerusalem was made a kin dom and t.. en ire fe dal sys em was in troduced there—a n.. .. n whi h, in pres ence f the Saracen was *certainl* th w rst t.. ..ld be dopted. An her Crusade in the year ..04 resu. ed in th conq est of Constan tinop.. d t esta l.hment f a Latin Em pire there Chri endom therefore had ppea..ed its anxious cra m t could w ..ter..ably walk mobs m ..ed in the footsteps f th S ur Whole shiploads f earth were brou t f om the H l Land t Europe Of Chri himself ..poral relics ould be btained, f he was risen e cred Handkerchief the Cross, and lastly the Sepulchre were the most venerated memorials. But in the gra e is found the real point f retrovers on it is in the gra e that all the vanity of the ensuous perishes At the Holy Sepulchre the vanity of opinion passes away there all is eriousness In the negation of that *d finite and present embodiment* s e of the sensuous it is that th turning-poin in questi n is found, and those words ha e an application "Thou wouldst not suffer th Holy One to ee corrupti n. Chri endom was not to find its ultimatum of truth in the gra e. At thi epul chre the Chri..ian wo ld received a econd time the respon..e given *to the disciples when they* sou.. t the body of the Lord there "*Why seek ye the living am g th dead? He is ot here b is risen* Y u must not look for the princi ple of your religion in the sensu us, in the gra e among the de d, but in th li ing pirit in your selves. W have seen how the ..t idea of the union of the fi..it with the infinite was perverted to uch a degree as that men looked for a *defin e embodiment* f the infinite in a mere isolated outward object. Christendom found the empty Sepulchre but not the union of the ecular and the eternal and so it lost the Holy Land. It was practically undecei ed a..d the result which t br ught back with it was f a negati e kind that the *de m embodiment* which it was seekin.. was to be looked f in *subjective con sciousnes alone* and in n external object that th de..m e f rm in question, presenti.. the union f the secular with the eternal is the spiritual elf-cognizant independence of the in dividual. Thus the world attains the co v ction

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absolut result f the Crusades and from th .. w may date the comm ncement of elf reliance and spontaneous acti ity The West bad.. an eternal f rewell to the Ea..t t the Holy Sepul c..re and gained a omprehen on of its own *princi l f subjecti e infinite freedom.* Chris tend m never ppeared gain n th cene of h.story as *on* body

Crusades f an ther kind, bearin omewhat th chara te f wars with ew to mere secular co quest b.. which m l ed a religious int es als w re th contests waged by Spain .. the S racens in t.. peninsula itself The Chri ..s had been ..t up in a c rner by the

All human actions proceeds .. .. tions, t.. been be brou ht t the bar f "principle"—the structu f subjectivity—for absol decision on their mer .s instead f being referred to an extraneous authority

Arabs but they gained upon their adversaries in strength because the Saracens in Spain and Africa were engaged in war in various directions and were divided among themselves The Spaniards united with Frank knights undertook frequent expeditions against the Saracens and in this collision of the Christians with the chivalry of the East with its freedom and perfect independence of soul the former became also partakers in this freedom Spain gives us the fairest picture of the knighthood of the Middle Ages and its hero is the Cid Several Crusades the records of which excite our unmixed loathing and detestation were undertaken against the south of France also There an æsthetic culture had developed itself the troubadours had introduced a freedom of manners similar to that which prevailed under the Hohenstaufen Emperors in Germany but with this difference that the former had in it something affected while the latter was of a more genuine kind But as in upper Italy so also in the south of France fanatical ideas of purity had been introduced a Crusade was therefore preached against that

nocent and the guilty indiscriminately and utterly laid waste the fair region which they inhabited

Throu h the Crusades the Church reached the completion of its authority it had achieved the perversion of religion and of the divine spirit it had distorted the principle of Christian freedom to a wrongful and immoral slavery of men s souls and in so doing far from abolishing lawless caprice and violence and supplanting them by a virtuous rule of its own it had even enlisted them in the service of ecclesiastical authority In the Crusades the Pope stood at the head of the secular power the Emperor appeared only in a subordinate position like the other princes and was obliged to commit both the initiative and the executive to the Pope as the manifest generalissimo of the expedition We have already seen the noble house of Hohenstaufen presenting the aspect of chivalrous dignified and cultivated opponents of the papal power when spirit had given up the contest We have seen how they were ultimately obliged to yield to the Church which elastic enough to sustain any attack bore down all opposition and would not move a step towards conciliation The fall of the Church was not to be effected by open violence it was from within by the power of spirit and by an influence that wrought its way upwards that ruin threatened it Respect for the papacy could not but be weakened by the very fact that the lofty aim of the Crusades the satisfaction expected from the enjoyment of the ensuous presence was not attained As little did the Popes succeed in keeping possession of the Holy Land Zeal for the holy cause was exhausted among the princes of Europe Grieved to the heart by the defeat of the Christians the Popes again and again urged them to advance to the rescue but

sensuous presence of deity fell back upon itself A rupture the first of its kind and profound as it was novel took place From this time forward we witness religious and intellectual movements in which spirit transcending the repulsive and irrational existence by which it is surrounded either find its sphere of exerci e within itself and draws upon its own resources for satisfaction or throws its energies into an actual world of general and morally justified aims which are therefore aims consonant with freedom The efforts thus originated are now to be described they were the means by which spirit was to be prepared to comprehend the grand purpose of its freedom in a form of greater purity and moral elevation

To this class of movements belongs in the first place the establishment of monastic and chivalric orders designed to carry out those rules of life which the Church had distinctly enjoined upon its members That renunciation of property riches pleasures and free will which the Church had designated as the highest of spiritual attainments was to be a reality—not a mere profession The existing monastic and other institutions that had adopted this vow of renunciation had been entirely sunk in the corruption of worldliness But now spirit sought to realize in the sphere of the principle of negativity purely in itself what the Church had demanded The more immediate occasion of this movement was the rise of numerous heresies in the south of France and Italy whose tendency was in the direction of enthusiasm and the unbelief which was now gaining ground but which the Church justly deemed not so dangerou as those heresies To counteract these evils new *monastic orders* were founded the chief of which was that of the Franciscans or Mendicant Friars whose founder St Francis of Assisi a

The t m C tha (θ ρ () P t w f th most g l des gn t f th d d t ects q estı Th G rm w d A t er = k tıc is by some d ed f om t

man possessed by an enthusiasm a d ecstat c passion that pas ed all bounds spent his life in continually striving for the loftiest p r ty He gave a impul e f the same kind to his rde the greate t fervour of devot on the sacrific of all p a ures in ntra e tion of the pr vailing we l ess f the Church co tin al pe ances the sev rest pov rty (the Fra scan li ed on daily alms)—were the ef re peculi rly ch rac

d l b ery for a common interest Thus these

members sank down to the i te ts a d the Orders became in the sequel a pr onal institute for the nobility g nerally rather tha anything el e The O der of the Temple was e en accused of form g a religion of its own and of ha ng ren unced Christ in the creed which unde the influence of the

an incredibl extent th y we e n the one han th standing apostolic army of the Pope while on the the hand, they st ongly protested again t h rldliness The Fra ciscans w re powerful allies of Lo is of Ba ria in his es tance of th papal as umptions and they are sa d t hav been the auth rs of the po tio that a ge er l ouncil wa higher authority than the Pope but s bsequently they to sank down into a t rp d and unin llig t co dition I th same way the eccle iastical *O ders of Knighth od* contem pla ed the attainm nt f p ity of sp rit We ha e already called ttenti t the peculiar chiv an sp t which had been de el ped in Spain thr ugh th tru gle with th Sa cen the same sp t was diffused as the sult f the Crusades through the wh le of E ope The fer city nd g alour that haract rized the p d t ry l f of th b rb rians—*pacified and b o ght to* settl d state by possess and est a ed by th p esence f quals—w elevated by eligi n and then kindled to ble thusia m thr ugh ont mplating th boundless m gnanim ty of oriental prowes F Christi nity l contains th element of boundless bstra t and free d m the nental h alric sp rit found the e f m oc dent l h ts po wh ch pa ed the w y f the r ttaining bler rt e than they had p ly kn wn E l siastic l o d rs f knighth od we in t tuted n bas re em bling that f the m ast frat rn t es Th same n entual w f un ti w imposed on th m mbe s—the gi ing up of ll that was ldly But t th same time they und took t e defen e f th pilgrims the r fi st duty th ref was kn ghtly bra ery ult m t ly they lso pledg d to th u t ce and of th poo d th k Th O de s of Knighthood di d d t th ee th t of St J hn that f the Templ and the T tonic O d These associati ns ar essentially disti gui hed f om the self seek g principle of feudalism Their membe sacrifi ed thems l es w th almost sui

had ts commencement Tho e fraternal asso ti n them el es ha ing a common object in whose serv ce th ir members we e li ted p nt to the fa t that a g ne al principle was be ginning t be ecognized and which gradually becam co s ous of ts power Thought was first directed to theology wh ch n w be ame ph lo ophy unde th n me f scholast c di ty For philosophy and th ology have the di ine as the r c mmo object and although the theology of the Chu ch was a stere typ d d gma th im pulse now e to justify thi b dy of d ctrine the w f thought When we ha e arri ed at fa th says the celeb ted scholastic Anselm it is p ece of egligence to stop short of co incing ou s l e by the d of thought of that *to whi h we ha e gi e cred c But thus con* ditio d th ught was ot f e f its mate l was l e dy *pos t d ab ext* t w to th *pro f* of this m te ial that philosophy dev t d its n ergi s B t tho ght s gge ted a vari ty of ques ti s the complete answe to wh h was ot gi en directly in the symbols of the Chu ch d sin th Chu ch had n t decid d re p t g them they w re legit mate s bj cts of c t o rsy Phil sophy was inde d called an *an ll*

manif t tself As Eu pe p e ent d in pecta *cle of chi alri* c tests generally pass ges of rms a d t urnaments t w n w the theat e f r intellectual j usting ls *It is inc dibl* t what a ext t th abstract forms f tho ght were de elop d d what dexterity was ac q ed in the use of them Thi int llectual tour ney g f r the sak of exhib ti g kill d s a di ersion (for it wa t the doctrin them sel es b t ly the forms in whi h they w e co hed that mad th bj ct of d b te) wa

chiefly prosecuted and brought to perfection in France France in fact began at that time to be regarded as the centre of Christendom there the scheme of the first Crusades originated and French armies carried it out there the popes took refuge in their struggles with the German emperors and with the Norman princes of Naples and Sicily and there for a time they made a continuous sojourn We also observe in the period subsequent to the Crusades commencements of art—of painting ... even during their continuance a peculiar kind of poetry had made its appearance Spirit unable to satisfy its cravings created for itself by imagination fairer forms and in a calmer and freer manner than the actual world could offer

Chapter 3 *The Transition from Feudalism to Monarchy*

The moral phenomena above mentioned tending in the direction of a general principle were partly of a subjective partly of a speculative order But we must now give particular attention to the practical political movements of the period The advance which that period witnessed presents a negative aspect in so far as it involves the termination of the sway of individual caprice and of the isolation of power Its affirmative aspect is the rise of a supreme authority whose dominion embraces all—a political power properly so called whose subjects enjoy an equality of rights and in which the will of the individual is subordinated to that common interest which underlies the whole This is the advance from feudalism to *monarchy* The principle of feudal sovereignty is the *outward* force of individuals—princes liege lords it is a force destitute of *intrinsic* right The subjects of such a constitution are vassals of a superior prince or seigneur to whom they have stipulated duties to perform but whether they perform these duties or not depends upon the seigneur's being able to induce them so to do by force of character or by grant of favours conversely the recognition of those feudal claims themselves was extorted by violence in the first instance and the fulfilment of the corresponding duties could be secured only by the constant exercise of the power which was the sole basis of the claims in question The monarchical principle also implies a supreme authority but it is an authority over persons possessing no independent power to support their individual caprice where we have no longer caprice opposed to caprice for the supremacy implied in monarchy is essentially a power emanating from a political body ...

... see nothing but lords and serfs ...ignty is a polyarchy ... monarchy on the contrary there is one lord and no serf for servitude is abrogated by it and in it right and law are recognized it is the source of real freedom Thus in monarchy the caprice of individuals is kept under and a common gubernatorial interest established In the suppression of those isolated powers as also in the resistance made to that suppression it seems doubtful whether the desire for a lawful and equitable state of things or the wish to indulge individual caprice is the impelling motive Resistance to kingly authority is entitled liberty and is lauded as legitimate and noble when the idea of arbitrary will is associated with that authority But by the arbitrary will of an individual exerting itself so as to subjugate a whole body of men a community is formed and comparing this state of things with that in which every point is a centre of capricious violence we find a much smaller number of points exposed to such violence The great extent of such a sovereignty necessitates general arrangements for the purposes of organization and those who govern in accordance with those arrangements are at the same time in virtue of their office itself obedient to the state vassals become officers of state whose duty it is to execute the laws by which the state is regulated But since this monarchy is developed from feudalism it bears in the first instance the stamp of the system from which it sprang Individuals quit their isolated capacity and become members of estates and corporations the vassals are powerful only by combination as an order in contraposition to them the cities constitute powers in virtue of their communal existence Thus the authority of the sovereign inevitably ceases to be mere arbitrary sway The consent of the estates and corporations is essential to its maintenance and if the prince wishes to have that consent he must will what is just and reasonable

We now see a constitution embracing various orders while feudal rule knows no such orders We observe the transition from feudalism to monarchy taking place in three ways

1 Sometimes the lord paramount gains a mastery over his independent vassals by subjugating their individual power—thus making himself sole ruler

2 Sometimes the princes free themselves from the feudal relation altogether and become the territorial lords of certain states

3. Lastly the lord paramount unites the par ticular lordships that own him as their superior with his own particular suzerainty in a more powerful way and thus becomes master of the whole.

These processes do not indeed present them selves in history in that pure and abstract form in which they are exhib ted here often we find more modes than one appearing contemporaneously but one or the other always predominates. The cardinal consideration is that the basis and essential condition of such a political formation must be looked for in the *part cular* ... in which it had its birth. Europe presents par

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ticular ... we have now to consider them severally in relation to the change thus intro duced.

First as regards the Roman Empire the con nection between *Germany* and *Italy* naturally results from the idea of that empire the secular dominion united with the spiritual was to con stitute one whole but this ... of things was rather the object of constant struggle than one actually attained. In Germany and Italy the transition from the feudal condition to monarchy involved the entire abrogation of the former the vassals became independent monarchs

Germany had always embraced a great variety of stocks Swabians Bavarians Franks Thu ringians Saxons Burgundians to these must be added the Slavs of Bohemia Germanized Slavs in Mecklenburg in Brandenburg and in part el ... d Austria so that no such combina tion as took place in France was possible Italy presented a similar state of things The Lom bards had established themselves there while the Greeks still possessed the Exarchate and lower Italy the Normans too established a king dom of their own in lower Italy and the ... ... maintained their ground for ... in Sicily When the race of the house of Hohenstaufen was terminated barbarism got the upper hand throughout Germany the country being broken up into several sovereignties in which a ... ful despotism prevailed. It was the maxim of the electoral princes to raise only weak princes to the imperial throne they even sold the imperial dignity to foreigners. Thus the unity of the state was virtually annulled. A number of centres of power were formed each of which was a preda tory st... the legal constitution recognized by feudalism was dissolved and gave place to un disguised violence and plunder and powerful

princes made themselves lords of the country After the interregnum the Count of Hapsburg was elected Emperor and the House of Hapsburg continued to fill the imperial throne with but little interruption. These emperors were obliged to create a force of their own, as the princes would not grant them an adequate power attached to the empire. But that state of abso lute anarchy was at last put an end to by as sociations having general aims in view In the cities themselves we see associations of a minor order but now *confederations of cities* were formed with a common interest in the suppres sion of predatory violence Of this kind was the *Hanseatic League* in the north the *Rhenish League* consisting of cities lying along the Rhine and the *Swabian League* The aim of all these confederations was resistance to the feudal lords and even princes united with the cities with a view to the subversion of the feudal con dition and the restoration of a peaceful state of things throughout the country What the state of society was under feudal sovereignty is evi dent from the notorious association formed for executing criminal justice it was a private tri bunal which under the name of the *Vehmgericht* held secret sittings its chief seat was the north west of Germany A peculiar *peasant association* was also formed. In Germany the peasants were bondmen many of them took refuge in the towns or settled down as freemen in the neighbourhood of the towns (*Pfahlbürger*) but in Switzerland a peasant fraternity was estab lished The peasants of Uri Schwyz and Unter walden were under imperial governors for the Swiss governments were not the property of private possessors but were official appoint ments of the empire. These the sovereigns of the Hapsburg line wished to secure to their own

and sword, and practised in the chivalric en counters of the tournament. Another invention also tended to deprive the nobility of the as cendancy which they owed to their accoutre ments—that of *gunpowder* Humanity needed it and it made its appearance forthwith. It was one of the chief instruments in freeing the world from the dominion of physical force and placing the various orders of society on a level With the distinction between the weapons they used, vanished also that between lords and serfs. And before gunpowder fortified places were no longer impregnable so that strongholds and castles now lose their importance We may

indeed be led to lament the decay or the depreciation of the practical value of personal valour —the bravest the noblest may be shot down by a cowardly wretch at safe distance in an ob

c only through this instrumentality could that superior order of valour be called forth that valour in which the heat of personal feeling has no share for the discharge of firearms is directed against a body of men—an abstract enemy not individual combatants The warrior goes to meet deadly peril calmly sacrificin himself for the common weal and the valour of cultivated nations is characterized by the very fact that it does not rely on the strong arm alone but places its confidence essentially in the intelligence the generalship the character of its commanders and as was the case among the ancients in a firm combination and unity of spirit on the part of the forces they command

In *Italy* as already noticed we behold the same pectacle as in Germany—the attainment of an independent position by isolated centres of power In that country warfare in the hands of the condottieri became a regular business The towns were obliged to attend to their trading concerns and therefore employed mercenary troops whose leaders often became feudal lords Francis Sforza even made himself Duke of Milan In Florence the Medici a family of merchants rose to power On the other hand the larger cities of Italy reduced under their sway several smaller ones and many feudal chiefs A papal territory was likewise formed There also a very large number of feudal lords had made themselves independent by degrees they all became subject to the one sovereignty of the Pope How thoroughly equitable in the view of social morality such a subjugation was is evident from Machiavelli s celebrated work *The Prince* This book has often been thrown aside in di gust as replete with the maxims of the most revolting tyranny but nothing worse can be urged against it than that the writer having the profound consciousness of the necessity for the formation of a state has here exhibited the principles on which alone states could be founded in the circumstances of the times The chiefs who asserted an isolated independence and the power they arrogated must be entirely subdued and though we cannot reconcile with our idea of freedom the means which he propo es as the only efficient ones and regards as perfectly justifiable—inasmuch as they involve the most reckless violence all kinds of deception assassination and so forth—we must nevertheless confess that the feudal nobility whose power was to be subdued were assailable in no other way

In *France* we find the converse of that which occurred in Germany and Italy For many centuries the kings of France possessed only a very small domain so that many of their vassals were more powerful than themselves but it was a great advantage to the royal dignity in France that the principle of hereditary monarchy was firmly established there The consideration it enjoyed was increased by the circumstance that the corporations and cities had their rights and privile es confirmed by the king and that the appeals to the supreme feudal tribunal—the Court of Peers consisting of twelve members enjoying that dignity—became increasingly frequent The king s influence was extended by his affording that protection which only the throne could give But that which essentially secured respect for royalty even among the powerful vassals was the increasing personal power of the sovereign In various ways by inheritance by marriage by force of arms etc the kings had come into possession of many earldoms and everal duchies The dukes of Normandy had however become kings of England and thus a formidable power confronted France whose interior lay open to it by way of Normandy Besides this there were powerful duchies still remaining nevertheless the king was not a mere feudal suzerain like the German emperors but had become a territorial possessor he had a number of barons and cities under him who were subject to his immediate jurisdiction and Louis IX succeeded in rendering appeals to the royal tribunal common throughout his kingdom The towns attained a position of greater importance in the state For when the king needed money and all his usual resources—such as taxes and forced contributions of all kinds—were exhausted he made application to the towns and entered into separate negotiations with them It was Philip the Fair who in the year 130 first convoked the deputies of the towns as a Third Estate in conjunction with the clergy and the barons All indeed that they were in the first instance concerned with was the authority of the sovereign as the power that had convoked them and the raising of taxes as the object of their convocation but the states nevertheless ecured an importance and weight in

ens ons and c ntests that accompanied such in c m rat ons We have only to add that the

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Thus France and E gland carried on w h each other for a century The kings were always endeav u ing to make fore gn conquests the towns which had the largest share of the bur dens and expenses of such wa s were opp sed t them and in order to placate them the kings granted them importa t privileges

The *Popes* endea u ed to make the disturbed state of ociety to which each of these changes gave rise an occasion for the intervention of their authority but the interest of the gr wth of states was t o firmly established to allow th m to make the r own interest of bsolut au n d peo les we e

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E gland as we have al eady had ccasion to \ ll m th Con

held t Rense in 338 and afterw rds st ll mo e decidedly at the Imperi l D et held at Frank fort that they w uld defend the libertie nd hereditary rights of the emp e and that to make the cho ce of a Roma Empe or or ki g alid, n papal confirmat on wa needed So at

oppres rule and fiscal xacti ns of the kings became int lerabl te ti ns d even w r en ued the ba o compell d King John to ea t M gna Charta the b s s f Engli h liberty m e particularly f the pri ileges of the b lity Am g the lib rt thus se ed, that which cern the dminist t on f jus ti w s the hi f no E gl hm n was t be de pri ed f personal f eed m, p perty o life bout th j dici l di t f his pe E ery or m eov was to be entitled to th f eed s pos t on f h p operty F rthe the k g wa t impose ta es w th ut th consent of the rch ops b hops ea ls d ba ons Th town lso f ed by th ki gs in oppositi n t th b oon elevat d themsel es to T d E t d t ep ese tat in th Com mon H use f P liam t Yet the king was al rv po ful f h possessed t ength f ara t hi cr wn estates p ocured f him d e on derati in lat t mes howeve these er grad ll l en ted gi en away so that t king w d d t pply f bs dies to the I l men

W hall ot pursu th min te and specifi cally hi t ri deta l th t concern the inc rpo ration f princ pali es with states o the dis-

that of the P pe d therefo e depo ed d ap po ted Popes The ume ous attempts di ected gainst the ecclesia tical syst m onfirm d th ecess ty of form t n Arn ld f B esci W i kl ffe d H met with sympathy in tending g t the dogma f the pap l vice g ency f Christ and the gro s abuses that di gr d the hi archy Th se ttempts w e h wev only part al the sc pe O the ne hand the time w t y t ripe fo m m p ehens nsla ght th ther hand th sailant in quest on did ot trike t th heart f the matter but (especially the two latter) ttacked the te ching f th Church chiefly with

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it a mere thing—such as the Host *per se* a p ece of stone o wood or a wretched daub quite an ther thing for it to contemplate a painting rich in thought and sentiment or a beautiful work of culpture in looki g at which soul h ds con e se with soul and spi t w th spirit In the former case spirit is torn f m its pr per eleme t, bou d d wn t something utte ly alien t t—th sensuou the n n p ritu l In the la t r o the contrary the se suous object is a be uful o e and the spir tual form with which it is endu d gi es it a s ul a d co tains truth in self But on the on hand, th s element of

po quu y u—pr uap al m terp ces *e g* Raph l s M donnas do t enjoy di tingui hed en rat n o elicit multitude of offerings inf io p tures eem on th c t ary t be espe l fav urites and to be mad th bj ct of th warme t dev tion and the most g ous libe al ty P ty pas es by th f rmer f th s ry ea n that we e t t h ger in the cinity t w uld feel an i wa d stim l d att t tem t f a kind h h annot b t be f lt to be l en whe e all that is desid rated is a sens of mental bo dage in hi h lf l t—the stupo of abject de pe de ce. Th rt in ts ery natu e t ans cended th pri pl f the Chu h B t as the f rm ma fests t lf o ly und se uous limitation t is t fi t garded s harmles d ind.ff t m tte Th Chu h the ef e ontin d t f ll w t but as oo the free sp rit in whi h art rigi t d d anced to thought nd e sepa ti n en d

F rt ec ed f r the support a d exp n enc d an lev t g fl enc a the esult of the *t dy f t q ty* (th ame *h mani a* is rv pr f th w ks of tiquity hon d t the huma and t the devel p-ment f h man ty) th gh this tudy the West becam qua ted w th th tru and eternal lement th ti ty f m Th utward oc cas on f thi ev al f c en w the fall of th B za tin Emp e Larg umbers f G ks took fug in th west and int od ed G eek li rature ther and they b ught with them not only th kn l g f the G eek la gu g

but also the treasures to which that knowledge re had

miliar were he e pre ented an aitog t t t standa d fo judging of what was to be ho ou ed comm nded and mit ted was set up The Greeks in their works exhibited quite oth r moral comm nds than those with which the

wo ld p e ented itself These novel ideas met with principal organ f diff s on in the newly disco red *art of pri t g* which like the use

notice in determ ning the cha cter of th pe riod, might b mention d that urging of sp rit *o twards*—that de e on the part of ma t be c me cqua ted w th *his* wo ld The chi alr us sp rit of the maritime h es of Port gal and Spain pe ed a w way t the East Indi d discove d Americ This progressive step al in ol ed no tran gres of th limits f ec le s ast al prin ples or feeling Th m f C lumbus was by no mea s m ely secular o e t p esent d lso a disti ctly ligious spect the t easures of th n h I dian l ds which awaited his di c ry were destined t his i tenti n to be expended in new Crusade and the h then inhab ta t f the countries them l es w re to be con erted to Christianity The rec gnit f the sph rical figu e of th earth led man t pe ce e that it offe ed him definite and limited bject and g t o had been ben fited by the ew found in trume tality f

the weapons of erudition and consequently failed to excite a deep interest among the people at large

But the ecclesiastical principle had a more dangerous foe in the incipient formation of political organizations than in th
the

ι] ι ιι ot the individual submitted themselves The hardness characteristic of the self seeking quality of heart maintaining its position of isolation the knotty heart of oak underlying the national temperament of the Germans was broken down and mellow d h the terrib' d
two iron r
discipline ι u serfdom The Church drove the heart to de peration—made spirit pass through the severest bondage so that the soul was no longer its own but it did not degrade it to Hindu torpor for Christianity is an intrinsically spiritual principle and as such has a boundless elasticity In the same way serfdom which made a man s body not his own but the property of another dragged humanity throu h all the barbarism of slavery and unbridled desire and the latter was destroyed by its own violence It was not so much *from* slavery as *through* slavery that humanity was emancipated For barbarism lust injustice constitute evil man bound fast in its fetters is unfit for morality and religiou ness and it is from this intemperate and ungovernable state of volition that the di cipline in question emancipated him The Church fought the battle with the violence of rude sensuality in a temper equally wild and terroristic with that of its antagonist it prostrated the latter by dint of the terrors of h ll and held
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has this υ ρ s through since he is by nature evil and only by passing through a state of mental laceration arrives at th

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c u altered when the conditions of its commencement are different and when that reconciliation has had an actual realization The path of torturous discipline is in that case di pensed with (it does indeed make its appearance at a later date but in a quite different form) for the waking up of conscious ness finds man surrounded by the element of a moral state of society The phase of negation is indeed a necessary element in human development but it has now assumed the tranquil form of education so that all the terrible characteristics of that inward struggle vanish

Humanity has now attained the consciousness of a real internal harmonization of spirit and a good conscience in regard to actuality—to secular existence The human spirit has come to stand on its own basis In the self consciousness to which man has thus advanced there is no revolt against the divine but a manifestation of that better subjectivity which recognizes the divine in its own being which is imbued with the good and true and which directs its activities to general and liberal objects bearing the stamp of rationality and beauty

Art and Science as Putting a Period to the Middle Ages

Humanity beholds its spiritual firmament restored to serenity With that tranquil settling down of the world into political order which we have been contemplating was conjoined an exaltation of spirit to a nobler grade of humanity in a sphere involving more comprehensive and concrete interests than that with which political existence is concerned The sepulchre that *caput mortuum* of spirit and the ultramundane cease to absorb human attention The principle of a specific and definite embodiment of the infinite that desideratum which urged the world to the Crusades now developed itself in a quite different direction u in secular existence asserting an independent ground spirit made its embod ment an outward one and found a congenial sphere in the secular life thus originated The Church however maintained its former position and retained the principle in question in its original form Yet even in this case that principle ceased to be limited to a bare outward existence [a sacred *thing* the Host *e g*] it was transformed and elevated by *art* Art spiritualizes animates the mere outward and material object of adoration with a form which e
that piety ha
of the inf ni
lavish its devotion on a mere *th ng* but on the higher element with which the material object is imbued—that expressive form with which *Sp it* has invested it

It is one thing for the mind to have before

That l t pers l m wh se self-seeki g ch cte ts c dem t o b t g l d l be l q tly *moral* m

wh h that knowledge

it a mere thi g—such a the Host *per se* a p e e of sto e or wood, or a wr tched daub quite an other thing for it to co template a pai t ng ch in thought nd sent m nt or a beautiful ork of sculpture i looking at wh ch soul h int per l en to t—th sensu u the no sp t the latt o the contrary the sensuous object i a h

truth as thus exhib ted is manifested o y in a ts p oon te f rm on

m l were here p esented an a toge t sta d rd for judg ng of what was to be hon ou ed comme ded a d imit ted was set up The Greeks in the r works exhibited quite other mo al comma ds than those with which the We t was acqua nt d schol st c f rmalism had to make way fo a body of speculati e thought

multitude of offen s ferior pictu es seem

with a p c pal rgan f diffus on in the ne y disco ered *art of pri t g* which like the use of gunpowder c rre p ds with modern ch r cte and s pplied the des d ratum of the ag in which t was n e ted by tendi g to enable w h h

men f a k d

pende ce Th rt in its ery nat re trans end d th principl f th Church But as the f rm r manifests tself nly und en ous limitati ns t is at first egarded harmle and indiff t m tte The Ch ch the ef e o tin ed t f llow t b t as oo th free t in whi h art riginat d ad anced to thought and sc en a eparat on ens d.

F rt ec ed furth upport and experi enc d an lev ting influenc th result of the *t dy f ju ty* (th nam *k mani a* is ry expr ss f in those wo ks f t quity hon ur is don t the human and to the dev l p ment f humanity) th gh this t dy the West becam quainted h the tru and ternal lement in th ct ty f man. Th tward oc cas on f th ev al f ci w the f ll of t Byzantin Em Lar umbers f Gre ks took fu in th est and int od ed G eek literatur ther a d they b ught with them not only the kno ledge f the Greek language

As a *th d* le ding featu e demanding ur notice in d termi i g the character of the pe riod, might be m t o ed that urging of sp rit

s t c l princ ples r feel ng Th aim of Co lumbus w s by no means merely secula e t p e ented als distinctly relig us aspect the treasures f thos n h I dian lands which awaited his dis ery were destined in his in tention to b expe ded in new Cru d and the heathen inhab tant f the countries them sel es we t be con erted to Christianity The re gnition of the sph rical figur of the earth led man t pe ce that t off ed him d fin te and limited bj ct d na g tion had been ben fited by the new found in trum tality of

the magnet enabling it to be something better than mere coasting thus technical appliances make their appearance when a need for them is experienced.

These three events—the so called Revival of Learning the flourishing of the fine arts and the discovery of America and of the passage to India by the Cape—may be compared with that *blush of dawn* which after long storms first betokens the return of a bright and glorious day This day is the day of universality which breaks upon the world after the long eventful and terrible night of the Middle Ages—a day which is distinguished by science art and inventive impulse—that is by the noblest and highest and which humanity rendered free by Christianity and emancipated through the instrumentality of the Church exhibits as the eternal and veritable substance of its being

Section III

THE MODERN TIME

We have now arrived at the third period of the German world and thus enter upon the period of spirit conscious that it is free inasmuch as it wills the true the eternal—that which is in and for itself universal

In this third period also three divisions present themselves First we have to consider the *Reformation* in itself—the all enlightening *sun* following on that blush of dawn which we observed at the termination of the mediæval period next the unfolding of that state of things which succeeded the Reformation and lastly the modern times dating from the end of the last century

Chapter 1 *The Reformation*

The reformation resulted from the *corruption of the Church* That corruption was not an accidental phenomenon it was not the mere *abuse* of power and dominion A corrupt state of things is very frequently represented as an abuse it is taken for granted that the founda

further its own selfish ends and that all that is required to be done is to remove these adventitious elements On this showing the institute in question escapes obloquy and the evil that disfigures it appears something foreign to it But when accidental abuse of a good thing really occurs it is limited to particularity A great and general corruption affecting a body of such larre and comn

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tion u uoked for in the fact that the specific and definite embodiment of deity which it recognizes is sensuous—that the external in a coarse material form is enshrined in its inmost being (The refining transformation which art supplied was not sufficient) The higher spirit that of the world has already expelled the spiritual from it it finds nothing to interest it in the spiritual or in occupation with it thus it retains that specific and d 6 —

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to the world spirit the latter has already transcended it for it has become capable of recognizing the sensuous as sensuous the merely outward as merely outward it has learned to occupy itself with the finite in a finite way and in this very activity to maintain an independent and confident position as a valid and rightful subjectivity

The element in question which is innate in the ecclesiastical principle only reveals itself as a corrupting one when the Church has no longer any opposition to contend with—when it has become firmly established Then its elements are free to display their tendencies without let or hindrance Thus it is that externality in the Church itself which becomes evil and corruption

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c ш uu to a sensuous object a mere thing —in the most various forms slavish deference to *autho ity* for spirit having renounced its proper natu

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most absurd and childish character in regard to *miracles* for the divine is supposed to manifest

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itself in a perfectly disconnected and limited way for purely finite and particular purposes the lust of power riotous debauchery all the forms of barbarous and vulgar corruption hypocrisy and deception—all this manifests itself in the Church for in fact the sensuous in it is not subjugated and trained by the understanding it has become free but only in a rough and barbarous way On the other hand, the virtue which the Church presents since it is negative only in opposition to sensual appetite is but abstractly negative it does not know how to exercise a moral restraint in the indulgence of the senses in actual life thing is left for it but avoidance renunciation, inactivity

These contrasts which the Church exhibits—the barbarous vice and lust on the one hand, and an elevation of soul that is ready to renounce all worldly things, on the other hand—became still wider in consequence of the energetic position which man is sensible of occupying in his subjective power over outward and material things in the natural world, in which he feels himself free, and so gains for himself an absolute right. The Church whose office it is to save souls from perdition, makes this salvation itself a mere external appliance and is now degraded so far as to perform this office in a merely external fashion. The *remission of sins*—the highest satisfaction which the soul craves the certainty of its peace with God, that which concerns man's deepest and inmost nature—is offered to man in the most grossly superficial and trivial fashion,—*to be purchased for mere money* while the object of this sale is to procure means for dissolute excess One of the objects of this sale was indeed the building of St Peter's that magnificent chef-d'oeuvre of Christian fabrics erected in the metropolis of religion. But as that paragon of works of art the Athene and her temple-citadel at Athens was built with the money of the allies and issued in the loss of both allies and power so the completion of this church of St Peter and Michael Angelo's *Last Judgment* in the Sistine Chapel were the doomsday and the ruin of this proud spiritual edifice.

The time honoured and cherished *sincerity of the German people* is destined to effect this revolution out of the honest truth and simplicity of its heart. While the rest of the world are urging their way to East India, America—straining every nerve to gain wealth and to acquire a secular dominion which shall encompass the globe and on which the sun shall never set—we find a simple monk looking for that specific embodiment of deity which Christendom had formerly sought in an earthly sepulchre of stone rather in the deeper abyss of the absolute ideality of all that is sensuous and external—in the spirit and the heart—the heart, which, wounded unspeakably by the offer of the most trivial and superficial appliances to satisfy the cravings of that which is inmost and deepest now detects the perversion of the absolute relation of truth in its minutest features and pursues it to annihilation. Luther's simple doctrine is that the specific embodiment of deity—infinite subjectivity that is true spirituality Christ—is in no way present and actual in an outward form but as essentially spiritual is obtained only in being reconciled to God, *in faith and spiritual enjoyment* These two words express everything That which this doctrine desiderates is not the recognition of a sensuous object as God, nor even of something merely conceived, and which is not actual and present but of a reality that is not

Church constantly wandered, and in [illegible] spiritual life was dissipated. This change especially affects the doctrine of works for works include what may be performed under any mental conditions—not necessarily in faith, in one's own soul but as mere external observances prescribed by authority Faith is by no means a bare assurance respecting mere finite things an assurance which belongs only to limited mind, as e g the belief that such or such a person existed and said this or that or that the Children of Israel passed dry shod through the Red Sea that the trumpets before the walls of Jericho produced as powerful an impression as our cannons for although nothing of all this had been related to us our knowledge of God would

essential being The Lutheran doctrine therefore involves the entire substance of Catholicism with the exception of all that results from the element of externality—as far as the Catholic Church insists upon that externality Luther therefore could not do otherwise than refuse to yield an iota in regard to that doctrine of the Eucharist in which the whole question is con

centrated Nor could he concede to the Reformed Church that Christ is a mere commemoration a mere reminiscence in this respect his view was rather in accordance with that of the Catholic Church *vi* that Christ is an actual presence though only in faith and in spirit He maintained that the spirit of Christ really fills the human heart—that Christ therefore is not to be regarded as merely a historical person but that man sustains *an immediate relation to him in spirit*

While then the individual knows that he is filled with the divine pirit all the relations that pring from that vitiating element of externality which we examined above are *ipso facto* abrogated there is no longer a distinction between priests and laymen we no longer find one class in possession of the substance of the truth as of all the spiritual and temporal treasures of the Church but the heart the emotional part of man s spiritual nature is recognized as that which can and ou ht to come into possession of the truth and this subjectivity is the common property of *all mankind* Each has to accomplish the work of reconciliation in his own soul Subjective spirit has to receive the spirit of truth into itself and give it a dwelling place there Thus that absolute inwardness of soul which pertains to religion itself and freedom in the Church are both secured Subjectivity therefore makes the objective purport of Christianity *i e* the doctrine of the Church its own In the Lutheran Church the subjective feeling and the conviction of the individual is regarded as equally necessary with the objective side of truth Truth with Lutherans is not a finished and completed thing the subject himself must be imbued with

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is actualized If subjectivity be placed in feeling only without that objective side we have the standpoint of the merely natural will

In the proclamation of these principles is unfurled the new the latest standard round which the peoples rally—the banner of *free spirit* independent though finding its life in the truth and enjoying independence only in it This is the banner under which we serve and which we bear Time since that epoch has had no other work to do than the formal imbuing of the world with this principle in bringing the reconciliation implicit into objective and explicit realization Culture is essentially concerned with form the work of culture is the production of the form of universality which i none other than thou ht Consequently law property social morality government constitutions etc must be conformed to general principles in order that they may accord with the idea of free will and be rational Thus only can the spirit of truth manifest itself in subjective will—in the particular shapes which the activity of the will assumes In virtue of that degree of

manifestation This is the sense in which we must understand the state to be based on religion States and laws are nothing else than religion manifesting itself in the relations of the actual world

This is the essence of the Reformation man is in his very nature destined to be free

At its commencement the Reformation concerned itself only with particular aspects of the Catholic Church Luther wished to act in union with the whole Catholic world and expressed a desire that councils should be convened His theses found supp

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tions of the corruption of the Church we may refer to the statements of Catholics themselves bearing upon this point and particularly to

to particular points was soon extended to the doctrines of the Church and leaving individuals he attacked institutions at large—conventual life the secular lordships of the bishops etc His writings now controverted not merely isolated dicta of the Pope and the councils but the very principle on which such a mode of deciding points in dispute was based—in fact *the authority of the Church* Luther repudiated that authority and set up in its stead the *Bible* and the testimony of the human spirit And it is a fact of the weightiest import that the Bible has become the basis of the Christian Church henceforth each indi

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vidual enjoys the right of deriving instruction for himself from it and of directing his conscience in accordance with it. We see a vast change in the principle by which man's religious life is guided; the whole system of traditio... mes prob- Lu... f... t has as no... t for... th... h the latter have a vast num... minor... f... r books they

altered; the fast and holy days were abolished. Thus there was also a secular reform—a change affecting the state of things outside the sphere of ecclesiastical relations. In many places a rebellion was raised against the temporal authorities. In Munster the Anabaptists expelled the bishop and established a government of their own, and the peasants rose *en masse* to emancipate themselves from the yoke of serfdom. But the world was not yet ripe for a transformation of its political condition as a consequence of ecclesiastical reformation.

The Catholic Church also was essentially influenced by the Reformation; the reins of discipline were drawn tighter, and the greatest occasions of scandal, the most crying abuses were... ll... life of the... ge

u es which... the r... xternal shape mig... repell... to the he rt a d unde stand g can be di... crim... tingly t... ated by th... r l gi us sense... uch h ldin fast the sub ta ti l tr th e sily... anquishes... y s ch difficulties And eve if the books wh ch ha e p etens ons t... the character of pe ple s books w e not so supe fi al as they... e they w uld ertainly fail in se uring that respect wh ch a book cla m ng such... t tle... ught... t insp e... *d d al* But to ob at this dif ficul y is no e sy m tte f... e en sho ld a book... dapt d t... the p rpose in e ery other respect be p odu ed ev ry c untry parson w uld have some fault to find w th it and think to bett r it. In Fra... th n d of s h... bo k has b en... ry mu h f lt great p em ums ha e bee... of fe ed... th... ew t obtaining o... b t f om the r as... t d... th... t s cces M reo e the e tence of peopl... book p esuppose as ts p mary c ndit... b lity t read on the part f the people an b l ty wh ch i Catholic coun t es... t ery... mm nly t be met w th.

The den l of th... th rity of the Church... es nl led t... pa t... Th Council of Trent t... typed the prin pl s of Catholi sm and m de th... t ration of... co d impo ble... Le b tz t... lat... time dis ussed w th B h p Bos et th... question of th union f the ch... hes b t th C uncil of T ent emains the ir... rm unt bl... b tacle Th *ch... hes* became hostil *part*... f... es... respect t... cular a ra gements... t king diff rence m... fested it self l the... C th l... untries the c... en tual... t bl hm ts... d p opal f undati ns... ere br... en up... d th right f the then pro... p e rs ign d Ed cati al rrangements were

i tic liter tu e and a... o casion was soo... o e d... of decla ing its enmity to the sci ntific pursuits of the p riod. The celebrat d Copernicus h d disc vered that the earth a d th plan ts re ol e... und th su... but the Church declared... h m... k... wledge Gali

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pa don for the ffe ce on his knees The Greek lit rat re was not mad the b sis of cultu e ed c t on w s ntrust d t the Jesuits Thu does th sp rit of the Cathol c world in g neral sink b h d the spirit of the ag

He e an importa t questio... olicits in esti a tion why the Reformati n was limited to ce tain n tio s and why it did not permeat the whol Cath lic wo ld. Th R formatio origi

and the Rhine countries th re we e many c n vents and b sh pric as also ma y f ee imperial t wns and the rec pt... rejection of the R f rm ti n ery much depend d n the infl en es wh ch these ec l siastical and civil bodie r pect ly... c sed for we have already no-

ticed that the Reformation was a change influencing the political life of the age as well as its religious and intellectual condition We must further observe that authority has much greater weight in determining men s opinions than people are inclined to believe There are certain fundamental principles which men are in the habit of receiving on the strength of authority and it was mere authority which in the case of many countries decided for or against the adoption of the Reformation In Austria in Bavaria in Bohemia the Reformation had already made great progress and though it is commonly said that when truth has once penetrated men s souls it cannot be rooted out again it was indisputably stifled in the countries in question by force of arms by stratagem or persuasion The *Slavonic nations* were *agricultural* This condition of life brings with it the relation of lord and serf In agriculture the agency of nature predominates human industry and subjective activity are on the whole less brought into play in this department of labour than elsewhere The Slavonians therefore did not attain so quickly or readily as other nations the fundamental sense of pure individuality—the consciousness of universality—that which we designated above as political power and could not share the benefits of dawning freedom But the *Romanic nations* also—Italy Spain Portugal and in part France—were not imbued with the Reformed doctrines Physical force perhaps did much to repress them yet this alone would not be sufficient to explain the fact for when the spirit of a nation craves anything no force can prevent its attaining the desired object nor can it be said that these nations were deficient in culture on the contrary they were in advance of the Germans in this respect It was rather owing to the fundamental character of these nations that they did not adopt the Reformation But what is this peculiarity of character which hindered the attainment of spiritual freedom? We answer the pure inwardness of the German nation was the proper soil for the emancipation of spirit the Romanic nations on the contrary have maintained in the very depth of their soul—in their spiritual consciousness —th [illegible]

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1 [illegible] cannot deny that the French

Th [illegible] k [illegible] wledgm [illegible] pow [illegible] th [illegible] by a d [illegible] bjective f eed m) [illegible]

the Italians the Spaniards possess more determination of character that they pursue a settled aim (even though it have a fixed idea for its object) with perfectly clear consciousness and the greatest attention that they carry out a plan with great circumspection and exhibit the greatest decision in regard to specific objects The French call the Germans *entiers* entire *i e* stubborn they are also strangers to the whimsical originality of the English The Englishman attaches his idea of liberty to the special he does not trouble himself about the understanding but on the contrary feels himself so much the more at liberty the more his course of action or his license to act contravenes the understanding *i e* runs counter to general principles On the other hand among the Romanic peoples we immediately encounter that internal schism that holding fast by an abstract principle and as the counterpart of this an absence of the totality of spirit and sentiment which we call heart there is not that m [illegible] tive [illegible]

[illegible] to particular interests and the infinity that belongs to spirit is not to be looked for there Their inmost being is not their own They leave it as an alien and indifferent matter and are glad to have its concerns settled for them by another That other to which they leave it is the Church They have indeed something to do with it themselves but since that which they have to do is not self originated and self prescribed not their very own they are content to leave the affair to be settled in a superficial way *Eh bien* said Napoleon we shall go to Mass again and my good fellows will say That is the word of command! This is the leading feature in the character of these nations—the separation of the religious from the secular interest *i e* from the special interest of individuality and the ground of this separation lies in their inmost soul which has lost its independent entireness of being its profoundest unity Catholicism does not claim the essential direction of the secular religion remains an indifferent matter on the one side while the other side of life is dissociated from it and occupies a sphere exclusively its own Cultivated Frenchmen therefore feel an antipathy to Protestantism because it seems to them something pedantic dull minutely captious in its morality since it requires that spirit and thought should be directly engaged in religion in attending Mass

and other ceremonies on the co trary no exer tion of thoug t is required, but an impo g vision, specta le is p esented to th eye whi h does not make ch demand on o s attention as e to exclude a littl chat wh le yet the d es of the occa on e t glected.

We spoke abo e f the *el t on wh ch the ew d c m sus ed to secular l f* and now w ha only to exhib t that relati n n d t il. Th dev lopment and dvance of p rit from the tim of t R formati n nwards c n t in this ev ha ng ow gained th onsciou ess

process as the exis ence [the po ti e al u n esse e—n w

at ny rate ha e wo ked diligently for it In dustry craft and trades now ha e the r moral validity recognized, and the ob tacles to the r pr perit wh ch originated with the Church have an hed For th Church had pronounc d it n to lend mo ey on te t but the neces sity of o d ing led to the di ect iolat on of her injunctions The Lomba ds (a fact which accounts fo the u e of th term *lombard* in French t den t a loan-office) and part cula l the Hou e of Medici ad an ed money to pri ce in e n part f Europe The third point f sa t t in th Cath lic Church—blind *obed ence* was likewise denuded f its fal e p et n s o s Obedience t the laws of the state as the rat l el ment in olit o and acti n was m d the princ ple f human conduct I this

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q entl th bj ction r quired of him is a free

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hereas h d been f rm ly egarded as evil

point f substan the thing higher or more sacred. On inf en that *marriag* is lo er deem d les h ly than *c l b y* Lu ther took wif t h w that he espect d ma riage def n g th calumnies t whi h h e posed himself b h tep It was his duty t do so as t was lso t eat meat Fridays to prove that uch thi gs lawful d right in oppos t th imagi ed uperi rity f bsti en Th famil int od ces man t mm n —t th la on f int depe de in so ciet and thi union moral one whil n t er ha d, th m nks eparated from t m er f social m ral t f rmed as t wer the an ding arm f the P pe s th j izaries f rmed t ba f th T kish powe The marri f th priest enta ls th disappearan f t w d d tin ti b tween laity and ergy

M eover th epudiati of w k long med t e epu a f sa ctity t was c owledged t be m mmendab e for men t rise f om ta f dependen by *act vity* m en d ind ry d mak themsel independer It is m onsonant with justi e th t he wh ha money hould spend it even in luxuries than at h sh uld gi it w t rs a d beggars f h best w t on an equal number f person by so doing and these must

resort to f ce c re ting use again t adver pow r But in th Catholic Ch ch that dverse lement s un nditionally sanctioned. Wher the Ref rmed doctrine p evails princes ma till b bad go ernors b t they re no l er sanctioned and licited theret by the promp ings f th r gio c nscience In the Cath l Chur h on th co trary t s n thing ingula f r th con cienc t be f und n op po t to th laws f the tate As as in ti n f so e ns con p racies gainst the stat and the like ha e often been upported and carried int exec ti by the pri ts

This harm y b tween the state and the hur h has ow ttained *mm diat* ealizat We ha yet o reconstru ti of the tate, of the system of j ri prud e etc f th ht mu t first dis over th es e tual principle of right. The law of freedom had first to be ex panded t system ded ced from an absolute principl of ri ht. Sp rit does n t a ume this ompl te f rm imm diat l aft the R f rm tion t limits t elf at first to di ct and impl chang as g the d ing way with con entual

Tha is the harmony I ques mply exis s ts dev opme nd results ha no ye manifes ed them sel es

establishments and episcopal jurisdiction etc The reconciliation between God and the world was limited in the first instance to an abstract form it was not yet expanded into a system by which the moral world could be regulated

In the first instance this reconciliation must take place in the individual soul must be realized by feeling the individual must gain the assurance that the pirit dwells in him—that in the language of the Church a brokenness of heart has been experienced and that divine grace has entered into the heart thus broken By nature man is not what he ou ht to be only throu h a transforming process does he arrive at truth The general and speculative aspect of the matter is just this—that the human heart is not what it should be It was then required of *the individual that he should know what he is in* himself that is the teaching of the Church insisted upon man s becoming conscious that he is evil But the individual is evil only when the natural manifests itself in mere sensual desire—when an unrighteous will presents itself in its untamed untrained violent shape and yet it is required that such a person should know that he is depraved and that the good spirit dwells in him in fact he is required to have a direct consciousness of and to experience that which was presented to him as a speculative and implicit truth The reconciliation having th sumed th selves consci i sinfulness and to know themselves as evil The most simple souls the most innocent natures were accustomed in painful intro pection to observe the most secret workings of the heart with a view to a rigid examination of them With this duty was c joined that c it was requir sciousness th that divine g s found an entrance into his soul In fact the important distinction between the knowledge of abstract truth and the knowled e of what has actual existence was left out of sight Men became the victims of a tormenting uncertainty as to whether the good spirit has an abode in them and it was deemed indispensable that the entire process of spiritual transformation should become perceptible to the individual himself An echo of this self tormenting process may still be traced in much of the religious poetry of that time the Psalms of David which exhibit a similar character were then introduced as hymns into the ritual of Protestant Churches Protestantism took this turn of minute and painful introspection possessed with the conviction of the importance of the exercise and was for a long time characterized by a self tormenting disposition and an aspect of spiritual wretchedness which in the present day has induced many persons to enter the Catholic pale that they might ex h inward based or more ref reflection upon the character of human actions was introduced into the Catholic Church also The Jesuits analysed the first rudiments of volition (*velleitas*) with as painful minuteness as was displayed *in the pious* exercises of Protestantism but they had a science of casuistry which enabled them to discover a good reason for everything and o get *rid of the burden of guilt which this rigid investigation* seemed to aggravate

With this was connected another remarkable phenomenon common to the Catholic with the Protestant world The human mind was driven into the inward the ab tract and the religious element was regarded as utterly alien to the secular That lively consciousness of his subjective life and of the inward origin of hi volition that had been awakened in man brought with it the belief in *evil* as a vast power the sphere of whose malign dominion is the ecular This belief presents a parallelism with the view in which the sale of indulgences originated for as eternal salvation could be secured for money o by paying the price of one s salvation throu h a compact made with the Devil the riches of the world and the unlimited gratification of desires and passions could be secured Thus arose that famous legend of Faust who in disgust at the unsatisfactory character of peculati e science is said to have plunged into the world and purchased all its glory at the expense of his salvation

Faust if we may trust the poet had the enjoyment of all that the world could give in exchange for his soul s weal but those poor women who were called *witches* were reputed to get nothing more by the bargain than the gratification of a petty revenge by making a neighbour s cow go dry or gi ing a ch ld the measles But in awarding punishment it was not the magnitude of the injury in the loss of the milk or the sickness of the child that vas conside ed it was the abstract power of the Evil One in them that was attacked The belief in this abstract pecial power whose dominion is the world—in the Devil and his devices—occasioned an incalculable numl er of *trials for witchcraft* both in

Cath lic and Protestant countries. It was im poss b to prove the guil of the ac u ed they *were only suspected* it was th ref e only a direct knowledge o which this fury against the evil principle p ofes ed to be ba d. It was m ... ec urse to evidence but —

... red among the nations in ... tury with the fury of a pestilen The main im pulse was u p cion. The principl of susp cion assumes a similarly t rrible hape during the sway f the Roman emperors and under Robes pierre R gn of Terror when m re dispo tion ... ... any o rt ct or expre on — ... mon the s ls a

le Jesuit wr te a treatise gainst ... he m

p ... e in p oceedings f this kind. I rture ... b h was o l t be appl ed onc was continued until a onfes n was ext rted. If the ccused fainted unde th t rture t was rr d that th Devil was giving them sl ep f n ... ons perienced t was d that th Devil w s la gh ing m them f they held o t steadf tly the Devil was imposed t gi e them power These persecutions spre d like ep demi ckness through Ital Fran Spain d G rmany The earnes remonstra es of enlight ed men, ch a ... d th rs al eady produc d a cons de abl effect B t was Th ma u a pr fesso of Hall wh first pposed th p eval t upersti tion wi b erv de d d c es The enti e phe nomenon in tself m t ema kable when we reflect that w ha e t l g b quit of this f tful ba barit (eve lat a the ea So ... was p bl l b m d t Glarus in ... Am ng th C th l *pers cuti* ... d ected gain t her t cs as well gainst t hes w might say deed th t they w e pla ed m t gorv th unbeli f f th her ... wa rera ded oth than th indw ll ... e f evil—a posse on similar to the ...

Lea ... the bs ract f rm f ubjecti eness w ha ow t ons de th *cular* de th on. on f th a and th dvan e f uni ersality the recogni on f th uni ersal laws f freedom. This is th sec d a d the essential poi...

Chapter *Influence of the Reformation on Polit cal Development*

In tracing the course of the political devel opment of the peri d, we observe in the first place the con lidation of monarchy and the m narch inve ted with an authority emanating f om the state The incip ent stage in the ri e of royal powe and the commencement of that unity which th states of Eu ope attained, be long to st ll earlier period. While these changes were going forwa d, the entire body of pri ate obligations and rights which had been handed down from the middle age still etain d validity Infinitely important *is this form of pri ate* rights whi h the organic con titue ts of the exec ti e powe of the state ha e assumed. At the r ... —the ... ession ... ion of

so ere gns further restricted by ... of pri m geniture. This gi es the state an immo able ce tr Th fact that Germany was an electi e emp p e e ted ts b ing consolidated into one state and f r the same reas Poland has a ished f om the ci cl of nd pendent states The state must ha e a final dec i will but f an indi d al s to be the final de ding powe he mu t be so in direct and natural w y not as determined by ch c and th or tic ews etc E e amo the free G eeks the oracle wa the external powe which decided their policy n critical occa ns here *b th* is the racle— om thing indepe dent of a yarb trary olit on. But th c cumst nce that th highest station in a m na chy is as gned to a f mily m to in dicat th t th s e gnty is th pri t p perty of that family As such that s eignty w uld seem to be di s ble b t nce the d f d ... on of pow r s oppo ed to the prin p e of th tate the ri ghts f the m na ch and his family required to b m re trictly defined So re gn pos ess on not a pe ulium f the in di dual ... but is cons gned to the dyna t f mily a trust and the *states f th realm* possess s urity that that tru t shall be f th fully di harg d f th y ha t gu d th unity of the body po t c Thus th n r yal pos ess n o l ger denotes a kind of pri t property pri ate possessio f estates d mesnes juris diction tc b t has bec m stat propert — a functi n pertaining t and in l ed with the stat

Equ lly important and nnected with that just ou ed is the hange of executi e powers fun ti ns duties and rights which naturally be

long to the state but which had become private property and private contracts or obligations—into possession conferred by the state The rights of seigneurs and baron were annulled and they were obliged to content themselv s with official positions in the state This transformation of the rights of vassals into official functions took place in the several kingdoms in various ways In *France* e g the great barons who wer emors of as a ma pashas a body of troops with the revenues thence derived—troops which they might at any moment bring into the field against the king—were reduced to the position of mere landed proprietors or court nobility and those pashalics became offices held under the government or the nobility were employed as officers—generals of the army an army belonging to the *state* In this aspect the origination of *standing armies* is so important an event for they supply the monarchy with an independent force and are as necessary for the security of the central authority against the rebellion of the subject individual as for the defence of the state against foreign enemies The fiscal system indeed had not as yet assumed a systematic character—the revenue being derived from customs taxes and tolls in countless variety besides the subsidies and contributions paid by the estates of the realm in return for which the right of presenting a statement of grievances was conceded to them as is now the case in Hungary

In *Spain* the spirit of chivalry had assumed a very beautiful and noble form This chivalric spirit this knightly dignity degraded to a mere inactive sentiment of honour has attained notoriety as the Spanish *grandeza* The grandees were no longer allowed to maintain troops of their own and were also withdrawn from the command of the armies destitute of power they had to content themselves as private persons with an empty title But the means by which the royal power in Spain was consolidated was the *Inquisition* This which was established for the persecution of those who secretly adhered to Judaism and of Moors and heretics soon assumed a political character being directed against the enemies of the state Thus the Inquisition confirmed the despotic power of the king it claimed supremacy even over bishops and archbishops and could cite them before its tribunal The frequent confiscation of property one of the most customary penalties tended to enrich the treasury of the state Moreover the Inquisition was a tribunal which took cognizance of mere suspicion and while it consequently exercised a fearful authority over the clergy it had a peculiar support in the national pride For every Spaniard wished to be considered Christian by descent and this species of vanity fell in with the views and tendency of the Inquisition Particular provinces of the Spanish monarchy as e g Aragon still retained many peculiar rights and privileges but the Spanish kings from Philip II downward proceeded to suppress them altogether

It would lead us too far to pursue in detail the process of the depression of the aristocracy in the several states of Europe The main scope of this depressing process was as already stated the curtailment of the private ri ht change was in the interest of both the king and the people The powerful barons seemed to constitute an intermediate body charged with the defence of liberty but properly speakin it was only their own privileges which they maintained against the royal power on the one hand and the citizens on the other hand. The barons of England extorted Magna Charta from the king but the citizens gained nothing by it on the contrary they remained in their former condition Polish liberty too meant nothing more than the freedom of the barons in contraposition to the king the nation being reduced to a state of absolute serfdom When liberty is mentioned we must always be careful to observe whether it is not really the assertion of private interests which is thereby designated For although the nobility were deprived of their sovereign power the people we absolu jectio were p declared utterly incapable of possessing property partly subjected to a condition of bond service which did not permit of their freely selling the products of their industry The supreme interest of emancipation from this condition concerned the power of the state as well as the subjects—that emancipation which now gave them as citizens the character of free individuals and determined that what was to be performed for the commonwealth should be a matter of just allotment not of mere chance The aristocracy of possession maintains that possession against both against the power of the state at large and against individuals But the aristocracy have a position assigned them as the support of the throne as occupied and active on behalf of the state and the common

weal, and at the same time as m nt ing the freedom of the citizens. This in fact is the pre rogative f that class which forms the link be t een the sovere gn and the people—to under tak t discern and to gi e the first impulse to t s which is intrin c lly rational and un ver l and this recognition of and occupation with t e universal must take the place of po ti e p rsonal ri ht. This subj ct on to the head of th state of that intermediate power which laid l m to pos ti e authority was now accom plished, bu this did n t in ol e the emancipa tion of the subject class This took pla e nly at a la er date when the idea of right in and f r it self arose in men s mi ds Then the so re gns relying on their respect e peoples vanquished the caste of unrighteousness but whe they united with the barons or wh the latter maintained the freedom gainst the ki gs t e pos e rights o rathe wrongs co tinued.

We observe als s an es ential f ature now first presenting t elf in th polit c l aspect of

ual matter t the Italians But we ha e to ob serve also that the wars in which *Germany* en gaged were not particul rly ho ou able to t it allowed Burgu dy *Lorraine* Alsace and other parts of the emp re to be wrested f om it From these wars between the various political powers there ro e common interests and the object of that commu ity of interest was the maintenance of severalty—the *pr ervation to the e ral* states of their independence—i fact the *b l ance of powe* The moti e to this was of a de cidedly practical kind t the protect on of the everal states from conquest The uni n of the tates of Europe as the means of shi lding indi dual states f om the vi le ce of the power ful—the pre ervatio f the bala ce of power had now taken the place of that general a m of the eld r tim th defence f Chri te d m whose ce t e was the papacy This new political mot was ece sarily accompanied by diplo mat c co dition—one in which all the mem bers of the great European syst m how ve

French the Spa ards and at late date of the Austrians I f ct absolute disintegratio and dismemberment has always been an essential feature in the nat o l characte f the inhabit ts of Italy in anc t as well as in mod rn times Thei st bborn indi du lity wa ex hanged f a un th r ul of fo u d r t e Roman domini but as soo thi bo d was b ken th rigi l character eappe ed ful strength. I lat t mes as f fi d g in them bo d f un on therw impo s bl fter having caped f om a selfi hness f th most monst ou de and whi h display d perve se nature in crimes of e ery d scrip- on th Italian attain d taste f th *f art* thus thei ci lizat on th mit gat of t ei selfishness re ched onl th grade f be ut t that f rat nal ty—the h ghe unity f thought C nsequently even in poetry and song t Itali natu e is diffe e t f om rs. Impro isat on hara terize th gen of th I a they pour ut th ry oul in art and th ecstatic j yment f t Enj ying natur l so imbued th t th tate must b an si f mparat differen m ly cas-

everal princes in success on seemed to threaten the stab lity of the balance of power Europe When this combin t on of states was just com men ng Charles V was aiming at uni ersal m na hy fo he was Empero f Germany and King of Spain to boot the Netherla ds and Italy acknowledged h s sway and the whole wealth of Ameri a flowed into h s c ffers W th this e rm us powe which like the conti gen es of fort e in th case f pri ate p p- erty had b en ac umulated by the mo t felici t us c mb ations of political d xterity am g

XIV Th u h that d press o of th grandees f his kingd m wh h R ch lieu and fter him Mazarin had mplished, he had become an absol t ov re gn Franc too had the con c ou ess f ts intellectual superi rity in a re fi ement of ultur rpassing ything of which the rest of Eu ope ld boast Th pr ten o f Louis we e founded ot on e tent of d min n (as was th ase w th Cha les V) so m ch

as on that culture which distinguished his people and which at that time made its way everywhere with the language that embodied it and was the object of universal admiration they could therefore plead a higher justification than those of the German Emperor But the very rock on which the vast military resources of Philip II had already foundered the heroic resistance of the Dutch proved fatal also to the ambitious schemes of Louis Charles XII also presented a remarkably menacing aspect but his ambition had a quixotic tinge and was less sustained by intrinsic vigour Through all these storms the nations of Europe succeeded in maintaining their individuality and independence

An external relation in which the states of Europe had an interest in common was that sustained to *the Turks*—the terrible power which threatened to overwhelm Europe from the east The Turks of that day had still a sound and vigorous nationality whose power was based on conquest and which was therefore engaged in constant warfare or at least admitted only a temporary suspension of arms As was the case among the Franks the conquered territories were divided among their warriors as personal not heritable possessions when in later times the principle of hereditary succession was adopted the national vigour was shattered The flower of the Osman force the Janizaries were the terror of the Europeans Their ranks were recruited from a body of Christian boys of handsome and vigorous proportions brought together chiefly by means of annual conscriptions among the Greek subjects of the Porte strictly educated in the Moslem faith and exercised in arms from early youth Without parents without brothers or sisters without wives they were like the monks an altogether isolated and terrible corps The eastern European powers were obliged to make common cause against the Turks—*i.e.* Austria Hungary Venice and Poland The b[illegible] tle of T[illegible] rope[illegible]

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[illegible] original aspect was too intimately connected with secular interests not to occasion secular complications and political contentions respecting political possession The subjects of Catholic princes become Protestant have and make claims to ecclesiastical property change the nature of the tenure and repudiate or decline the discharge of those ecclesiastical functions to whose due performance the emoluments are attached (*jura stolæ*) Moreover a Catholic government is bound to be the *brachium seculare* of the Church the Inquisition *e g* never put a man to death but simply declared him a heretic as a kind of jury he was then punished according to ci[illegible]

[illegible] to m[illegible] dom[illegible] made[illegible] prince[illegible] rest estates that had been the property of the Church out of the hand of the heretics In Germany however the condition of things was favorable to Protestantism in as far as the several territories which had been imperial fiefs had become independent principalities But in countries like Austria the princes were indifferent to Protestants or even hostile to them and in France they were not safe in the exercise of their religion except as protected by fortresses War was the indispensable preliminary to the security of Protestants for the question was not one of simple conscience but involved decisions respecting public and private property which had been taken possession of in contravention of the rights of the Church and whose restitution it demanded A condition of absolute mistrust supervened absolute because mistrust bound up with the religious conscience was its root The Protestant princes and towns formed at that time a feeble union and the defensive operations they conducted were much feebler still After they had been worsted Maurice the Elector of Saxony by an utterly unexpected and adventurous piece of daring extorted a peace itself of doubtful interpretation and which left the real sources of embitterment altogether untouched It was necessary to fight out the battle from the very beginning This took place in the Thirty Years War in which first Denmark and then Sweden undertook the cause of freedom The former was c[illegible] the[illegible] of[illegible] whi[illegible] as i[illegible] the [illegible] alone—without the help of the Protestant states of the empire The powers of Europe with a few exceptions precipitate themselves on Germany—flowing back towards it as to the fountain from which they had originally issued and where now the right of inwardness

m has come to manifest itself in the sphere of reason, and that f m ernal independence and generally is t be f und. ourt. The truggle ends with an deal result—without having t ained the consciousness f a princip as in in electual conquest—in the exha stion of all parties in a state of utter desolation, where all the contending forces have been wrecked it issues in l ang places simpl take their course and maintain their existence on the basis of external power The issue is in fact exclusively f a po cal nature.

L E and also, w was indispensabl to the est ment of t Prot tant Chur h th struggle was in this case directed against the sovereign w were secretl tached to Ca ism because they found th prin iple o b- taint was countermedby s doctrines. The first named people rebelled gains th sumption of absolute sovereign power importing that kings are respon ble t God alone (ie to the F her Confessor) and monopo in t Catholic extremely unfurled the banner of extreme subjectivity in Puritanism—a principle which, de veloping itself in the real w rld, presents an aspect partly f enthusiasti levat n, partl f Extremes in contra The enthusiasts of Eng land, lik those of Mun er were fo having the St governed directly by the fear f God the s dery sharing th sam fanatical ews raved when they f und t f th cause they had espoused But military leader now has th physical force of the un ry and consequently government in h hands f in th tat there must be government and Cromwell knew at go verning is H ter fore made himself ruler and sen that pra ing pa liament about ... ess W th his death h wev his ri ht to ... ed also nd the ld d nast regained posse ion f the thr e C th licism ... ma observ s mmended t the import f prin es as prom ing th security f th ir government—a pos on upposed to be partic larly manifest t the I ma on be c nnect d ... government t form at g the bulwark f the latter But ch security is based on a sh religious obedienc and is limited t those grades f human dev lopment in which the po ical onsti ution and th wh legal system rest on the basis f ctual posi tiv posses on b f the onstitut on and laws are t be f unded ternal tternal right then secur is be found onl in the Protes tant religion, in whose prin ipl rat onal b- jective f eedom lso tains dev lopmen Th Du h too ered gorous opposition t th Catholic principle as bound up with the Spanish ... Belgium was still attached to the o Spain Nether h heroic valor gain t its oppressors The tr ing class th guilds and companies of marksmen formed a militia whose hero c courage was m re than a match fo the then famous Spanish infantry Ju t as the Swiss peasants had resis ed the chiv alry of Austria here th trading cities held out again t disciplined troops During this strug g e on the continent itself the Dutch fitted ou fleets and deprived the Spani rds of part of their co onial pos e ons from which all their wealth was deri ed As independence was secu ed to H lland in ts holding t the Protestant princi p so that of P l d was lost through is en deavor t uppress that principle in the case of d sidents

Thr ugh the Peace of Wes phalia the Pro es- tant Church had been cknowledged as an inde pendent o to the great co fus on and humili tion of Cath cism. This pe ce has often passed for the palladium f Germ a ha ing estab- ... had been bro en up It m ol es n thought, no con ption of the prope aim of a ate. We sh uld consult *H ppoly us a l mde* (book which written bef re the co cl s on f the peace had great in uence on the c dition of the emp re) if we w uld bec me acquainted with the haract r of that German f eed m of which so much is made In the pea e in que ti n the establishment f a compl t particularity the determin t on of all relati ns n th principle of pri ate right is the obj ct man festly tem pl ted—a *const d anarch* such a th wo ld had ever bef re seen e the pos ti n that an emp re p operly a unity a totalit t te, while yet all relations re determi ed so ex lu si el the principl f pri a ri ht that the pri leve f all th con t ue t p rts f that emp re t act fo themsel es contraril to the in rest of the wh l o to neglect that wh h ts interest demands and whi h is even required by law—i guaranteed and ecured by the most inviolable sanction Immediat l ft r this *settlement* t was hown what the *Germa Em pir* was as state in lation to other ates wa ed ign minious wars with th Turks for de- l vera f m whom V nna was i debted t P and ul m re ign mini us wa ts l tion to France w ch took possession in time of peace

of free cities the bulwarks of Germany and of flourishing provinces and retained them undis turbed

This constitution which completely termi nated the career of Germany as an empire was chiefly the work of Richelieu by whose assist ance—Romish cardinal th

e superintended adopted the exact opposite of that policy which he pro moted in the case of its enemies for he reduced the latter to political impotence by ratifying the political independence of the several parts of the empire while at home he destroyed the inde pendence of the Protestant party His fate has consequently resembled that of many great statesmen inasmuch as he has been cursed by his countrymen while his enemies have looked upon the work by which he ruined them as the most sacred goal of their desires—the consum mation of their rights and liberties

The result of the struggle therefore was the forcibly achieved and now politically ratified coexistence of religious parties forming political communities whose relations are determined ac cording to prescriptive principles of civil or of private right

The Protestant Church increased and so per fected the stability of its political existence by the fact that one of the states which had adopted the principles of the Reformation raised itself to the position of an independent European power This power was destined to start into a new life with Protestantism P ussia which making its appearance at the end of the seven teenth century was indebted if not for origina tion yet certainly for the consolidation of its strength to Frederick the Great and the Seven Years War was the struggle by which that con solidation was accomplished Frederick II dem onstrated the independent vigour of his power by resisting that of almost all Europe—the union of its leading states He app

gion but it was so in view of its ultimate issues and in the disposition of the soldiers as well as of the potentates under who e banner they fought The Pope consecrated the sword of Field Marshal Daun and the chief object which the allied powers proposed to themselves was the crushing of Prussia as the bulwark of the Protestant Church But Fred erick the Great not only made Prussia one of the great powers of Europe as a Prote tant power but was also a philosophical king—an altogether peculiar and unique phenomenon in modern times There had been English kings who were subtle theologians contending for the principle of absolutism Frederick on the con trary took up the Protestant principle in its ec ular aspect and though he was by no means favorable to religious controversies and did not side with one party or the other he had the con sciousness of universality which is the pro foundest depth to which spirit can attain and is thought conscious of its own inherent power

Chapter 3 *The* Eclaircissement *and Revolution*

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tives that is dialectic which un settles all particular judgments and opinions transmuting the evil into good and good into evil left at last nothing remaining but the mere action of subjectivity itself the *abstractum* of spirit—*thought* Thought contemplates every thing under the form of u

remained an ultramun dane affair in the Protestant theology also spirit still sustained a relation to the ultramundane for on the one side we have the will of the in dividual—the spirit of man—I myself and on the other the grace of God the Holy Ghost and so in the wicked the Devil But in thought self moves within the limits of it

ersality This is utter and absolute freedom for the pure ego like pure light is with itself alone thus that which is diverse from itself ensuous or spiritual no longer presents an object of dread for in con templating such diversity it is inwardly free and can freely confront it A practical interest makes use of consumes the objects offered to it a theoretical interest calmly contemplates them assured that in themselves they present no alien

exter Consequenh t e *ne plus ultra* of in wardness f subjectiveness is t urht. Man is not free w en he is not thi king f except when this enyred h susta s a relation to the wo ld around him as o another an alien form of being This compre ension, the penetration of th ego ri nd beyond o her forms of being wi h the most pro ound self-certainty directl in ol es t harmon ation of Bein, fo it must be observed t t e m of t ouz t with its object already - caly present, for ea on is the sub tal basis of consci usnes as well as f the external a d na ural. Thus that which pre ents itself as t e object of thought is no longer an absolutely distinct f rm f ens ence not f an a d gros h substa tial nature

Thought is t e grade to which sp rit has n w advanced I in lves the harmo of B ing in purest essence, challenging the ext rnal w ld t exhibi the same reason whi h ubject possesses. Spirit percei es t at nature—the w rld —must a so be an embodiment f ea on for God crea ed i on principles of eason. An interest in t e con empiation and c mpre en on t e presen w rld became univ rsal. Na ur embodies universality inasm ch as t is n thing other than sorts, genera power gra itation etc p enomena presented. Thus *experimental science* becam t scien of the wo ld fo ex perimental science in olves on th one hand, t e observa on of p enomena on th other hand a so t discovery f th Law the essen tal bein the hidden f rce that causes those phenomena—thus red cing the data supp ed by observa on t their simp principles Int llec tual consci u ess was first extrica ed f m that sophistry f t ous t, which unsettles every t by Descartes. A was the purel Ger man nations among whom th princip e f *pure* first ma ifested itself so t was by the Romanic na ons t a th *abstract idea* (t whi h th ha cter assigned them bove, tr that of internal sc m more readil conducted t em) was first compre ended. Experimental sci ce therefore very soon made its wa among them (in m mon wi h the Pro estant English) but especially among t e Italians It seemed t men as if God had but jus crea ed t e moon and tars plants and a imals as f t laws f t e uni erse were now esta lis ed f t e first tim fo o l then did t ey feel real in erest in the uni erse when t ey recognized t eir own reason in the reason whi h pervades i The human eye becam clear percept on qu k, thou ct re and i erpreta t e Th discovery f th laws f nature enabled men to contend gainst t e mons rous supersti tion of the time, as also gainst all notions of mighty alien pow rs which magic alo e could conquer The a rtion was even entured on a d that by Catholics n t less than by Protestants that the external, with which the church insisted upon associating uperhuman irtue was external and material and nothin m re—that the Ho t was simply *dough* the relics f the saints mere *bones* The i dependent authorit of subjectivi y was maintained aga nst belief founded on authority nd the laws of nature were recognized as the onl bond connecting phenomena wi h phenomena. Thus all miracles were disallowed fo nature is a system of kn wn and recognized laws man is t home in it and that ly passes fo truth in whi h h find him self at home he is free through the acquain ance h has gained with nature. Nor was thou t less vigo ously directed t the spiritual de of things right and morality came t be looked upon as ha ing their foundation in t e ctual present will of m n, whereas forme ly t was ref rred only to th command of God enj ined *ab ext c*, written in the Old and New Test ment, or appearing in the form of particular right in old parchments as *privil gia* o in in ernational compa ts. What the nations acknowled e as international right was dedu ed empirically from observati n (s in the work of Grotius) then, the source of th exi ting ci il and political law was looked f r after C cero fa hi n, in those instincts of men which nature has planted in their hearts e g the social instinct next th person d pr operty

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thr ened, but, on the her hand, ...vention was th in trument of carrying out the general objects of th state in opposit on to mere pos ive or prescriptive claims. Frederick II may be men ioned as the ruler who inaugurated th ew epoch in the sphere of practical life—that

ta e and as having been the first overeign who kept t gen ral interest of the ta s eadil in ew ceasing to pay any respect t particular interests w en t ey stood in t way f the com mon weal. His immortal wo k is a d mestic code the Prussian municipal law H w the head of a house old energetically prov des a d govern wi h a vi w t t e weal of t at house d an

of free cities the bulwarks of Germany and of flourishing provinces and retained them undisturbed

This constitution which completely terminated the career of Germany as an empire was chiefly the work of Richelieu by whose assistance—Romish cardinal though he was—religious freedom in Germany was preserved Richelieu with a view to further the interests of the state whose affairs he superintended adopted the exact opposite of that policy which he promoted in the case of its enemies for he reduced the latter to political impote r h

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The Protestant Church increased and so perfected the stability of its political existence by the fact that one of the states which had adopted the principles of the Reformation rai ed itself to the position of an independent European power This power was destined to start into a new life with Protestantism *Prussia* u which making its appearance at the d

u i ck the Great and the Seven Years War was the struggle by which that consolidation was accomplished Frederick II demonstrated the independent vigour of his power by resisting that of almost all Europe—the union of its leading states He appea d

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war was indeed in itself not a war of religion but it was so in view of its ultimate issues and in the disposition of the soldiers as well as of the potentates under whose banner they fought The Pope consecrated the sword of Field Marshal Daun and the chief object which the allied powers proposed to themselves was the crushing of Prussia as the bulwark of the Protestant Church But Frederick the Great not only made Prussia one of the great powers of Europe as a Protestant power but was also a philosophical king—an altogether peculiar and unique phenomenon in modern times There had been English kings who were subtle theologians contending for the principle of absolutism Frederick on the contrary took up the Protestant principle in its secular aspect and though he was by no means favorable to religious controversies and did not side with one party or the other he had the consciousness of universality which is the profoundest depth to which spirit can attain and is thought conscious of its own inherent power

Chapter 3 *The* Eclaircissement *and Revolution*

Protestantism had introduced the *principle* of subjectivity importing religious emancipation and inward harmony but accompanying this with the *belief* in subjectivity as evil and in a power whose embodiment is the world. Within the Catholic pale also the casuistry of the Jesuits brought into vogue interminable investigations as tedious and w d — ι

t ıııs dialectic which unsettles all particular judgments and opinions transmuting the evil into good and good into evil left at last nothing remaining but the mere action of subjectivity itself the *abstractum* of spirit—*thought* Thought c

c ι matter of investigation the doctrine of the church remained an ultramundane affair in the Protestant theology also spirit still sustained a relation to the ultramundane for on the one side we have the will of the individual—the spirit of man—I myself and on the other the grace of God the H C

s utter and absolute freedom for the pure ego like pure light is with itself alone thus that which is diverse from itself sensuous or spiritual no longer presents an object of dread for in contemplating such diversity it is inwardly free and can freely confront it A practical interest makes use of consumes the ob

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categories were indeed connected one of the

hose sential ch racterist c is the same t f eedom. That princ ple em ins form l bec use it gmated with abst act thought—with the understanding wh ch is p im ily the self-con sciousness of pure reas and as di ect s abstract As yet thing further is de eloped from it, for it still mainta ns an ad erse positi n to religion, e to the co crete absolute substance of the universe

As re pects the seco d q st on—why the Fre ch immediat ly passed o r from the theoretical to the pract cal while the Germans con t ted themsel es with theo t cal abstraction it mig t be sa d the Fren h e hot headed but th a superfi l s l ti the fact is that the f rmal principle f ph l sophy in Germa y en oun ers co cret r al world in wh h spirit finds inw rd ti f ct on a d in whi h scien e is t rest For the o e ha d it was the *P ot e tant world* itself wh h d a c d so far in thought as to re lize th b olut culmin tion of self-c sci sness on the ther hand, P ot estanti m enj ys w th pect to the m l d legal lat ns f the real w ld tra q l fiden e in th dispo ti of men—a se t m nt h h, onst tut g d the same th g with re g s the fount of ll the equ table ar ra gements that pre il w th r ga d t pri te right and the *o stit ti* f the stat I G many th *l las cissement* was c d cted in the

those perni us cles t cal i t t tes of celibacy luntary pauperi m a d lazine had been al dy do e a y with ther w no dead t of en rm s ealth att ched t the church and o c traint put upo m lity—a con tra t hich is th u e nd a f vices t re was n t that un peak bly hurtful f rm f iniquity wh h rises f m the te fer en f s ritual power w th sec lar law that o er f th D in R g t of K ngs e the doctrin that th arb trary will of p in s in virtue of the r being the Lord s anointed is divine and holy on the contrary their will is regard d as d ervi g of resp ct only so far as in s oc ation with rea on it wisely contemplates right just ce and the weal of the community The principle of thought the fore had bee so far co ciliated already m reover the Protesta t w rld had a convict on that in the har

already p esent

opp sed t religio th t is to ts *superstition* and t truth That f rmal ndi idual will is i rtue of the abstract posit n just ment o ed made the bas s of political theo e right in so c ty is th t which the law wills and the will in

st rting point and each will is rep e ented as b l te

An *tellectual p i c ple* was thus d scove ed t s rv as a basis fo the tate—on which does t like previous princ ple bel g to the sph of opinion such as the s c al impulse the des re of secu ty f p op ty etc nor owe its origin to the religious se tim t as d s be distingu shed fr m it This s a ast d co ry ga d to th p f u d st depths of being and f eedom Th c nsc u of th p rit l is w th es enti l bas of the political f bric and *ph lo ophy* has th r by b me dominant It has be s d that the *F e ch Re ol t on* e s lted f om phil s phy a d it is not with ut r a th t ph lo phy has b en c ll d Welt we h t f it snot ly truth aa d f r ts lf as the pu e of things but l truth in its li g f rm as exh b t d in the affa rs of the w ld We sh uld ot the efore co t dict the

of his dependents—of this he has given a unique specimen

These general conceptions deduced from actual and present consciousness the laws of nature and the substance of what is right and good have received the name of *reason* The recognition of the validity of these laws was designated by the term *éclaircissement* (*Aufklarung*) From France it passed over into Germany and created a new world of ideas The absolute criterion taking the place of all authority based on religious belief and positive laws of right (especially political right) is the verdict passed by spirit itself on the character of that which is to be believed or obeyed After a free investigation in open day Luther had secured to mankind spiritual freedom and the reconciliation in the concrete he triumphantly established the position that man s eternal destiny must be wrought out *in himself* But the *import* of that which is to take place in him what truth is to become vital in him was taken for granted by Luther as something already given something revealed by religion *Now* the principle was set up that this import must be capable of actual investigation something of which I can gain an inward conviction and that to this basis of inward demonstration every dogma must be referred

This principle of thought makes its appearance in the first instance in a general and abstract form and is based on the axiom of contradiction and identity The results of thought are thus posited as finite and the *éclaircissement* utterly banished and extirpated all that was speculative from things human and divine Although it is of incalculable importance that the multiform complex of things should be reduced to its simplest conditions and brought into the form of universality yet this still abstract principle does not satisfy the living spirit the concrete human soul

This formally absolute principle brings us to *the last stage in history our world our own time*

Secular life is the positive and definite embodiment of the spiritual kingdom—the kingdom of the *will* manifesting itself in outward existence Mere impulses are also forms in which the inner life realizes itself but these are transient and disconnected they are the ever changing applications of volition But that which is just and moral belongs to the essential independent intrinsically universal will and if we would know what right really is we must abstract from inclination impulse and desire as the particular *i e* we must know what the will is in itself For benevolent charitable so-

only when it does not will anything alien extrinsic foreign to itself (for as long as it does so it is dependent) but wills itself alone—wills the will This is absolute will—the volition to be free Will making itself its own object is the basis of all right and obligation—consequently of all statutory determinations of right categorical imperatives and enjoined obligations The freedom of the will *per se* is the principle and substantial basis of all right—is itself absolute inherently eternal right and the supreme right in comparison with other specific rights nay it is even that by which man becomes man and is therefore the fundamental principle of spirit But the next question is how does will assume a definite form? For in willing itself it is nothing but an identical reference to itself but in point of fact it wills something specific there *are* we know distinct and special duties and rights A particular application a definite form of will is desiderated for pure will is its own object its own application which as far as this showing goes is no object no application In fact in this form it is nothing more than *formal* will But the metaphysical process by which this abstract will develops itself so as to attain a definite form of freedom and how rights and duties are evolved therefrom this is not the place to discuss It may however be remarked that the same principle obtained speculative recognition in Germany in the *Kantian* philosophy According to it the simple unity of self consciousness the ego constitutes the absolutely independent freedom and is the fountain of all general conceptions *i e* all conceptions elaborated by thought —theoretical reason and likewise of the highest of all practical determinations—practical reason as free and pure will and rationality of will is none other than the maintaining one s self in pure freedom—willing this and this alone—right purely for the sake of right duty purely for the sake of duty Among the Germans this view assumed no other form than that of tranquil theory but the French wished to give it practical effect Two questions therefore suggest themselves Why did this principle of freedom remain merely formal? and why did the French alone and not the Germans set about realizing it?

With the formal principle more significant

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it, f t still m intai s an adverse pos ti to religio i e to the co cret absolute substance *f the uni se*

As r spects the second quest on—why the F e h immedi t ly pa s d ove from the theo retical to the p act cal while the Germans con tent d thems l es w th theor t cal bstr ct on t might be said the French e hot h aded but this is a sup rfi l s l tion the fa t s that the formal princ ple of ph lo phy in Germ y en counters a co t l world wh ch spirit fi ds w d atisfa t on and in which co c ence is at rest Fo on the o e h d t w s the *P ot e tant wo ld* ts lf wh h ad anced far i tho ght a t e lize the absolute culmin t of elf-co sc e s on the other hand, P ot est t m joys w th e p ct to the m l and legal elatio s *f the real world* a tra q l con fidence in th disp t f me — se t me t h ch co stitut g one and the me thing w th r lig n the fo t f ll the eq t ble r gem nts that p e l w th g d t private

u Is is not an depe dently substantial unity
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A *telle tu l pr c ple* was thus discove ed t serv as a b for the tate—one which do s t l ke p evious pri c ples bel g to the sphere of op n such as the social impulse *the de e f secu ty for property etc n r* owe t o g to the rel g ous sent ment as does th t f the d ine appo tment of the govern g powe —but the pri ciple of ce tai ty which is identity w th my self co scio s stopp ng sho t howev f that of truth wh ch needs to be di t gu shed f om t Th a vast disco ery i egard to th p f d t depths of b g and f d m The cons o of th spir tual is now the e t l basis of the polit l f b c a d *ph lo ophy* h th by b c me domin nt It h b a d that the *F e ch R v l t* e sulted f om ph l ophy a d t t w th ut e that ph losophy has been c lled Welt we sh t f t s t ly truth a d f t lf as the p e es ence of th g b t l o t uth in its livi g f rm a exh b ted i the aff rs of the w ld W h ld t th f c nt d t the

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With the formal principle more significant

[illegible] indeed [illegible] of the [illegible] (in instance) was society and [illegible] for society but the [illegible] society is itself [illegible] of the [illegible] (*Droits de l'Homme et du Citoyen*) [illegible] the conservation of natural rights but [illegible] is freedom, and as further deter[illegible] rights before the law. A [illegible] here for equality [illegible] is the result of the comparison of many [illegible] question being human beings [illegible] essential characteristic is the same [illegible] freedom. The principle remains formal because [illegible] abstract thought [illegible] the understanding, which is primarily the self-con[illegible] of pure reason, and as direct is ab[illegible] further is developed from [illegible] still maintains an adverse position to [illegible] to the concrete absolute substance [illegible].

[illegible] respects the second question—why the French immediately passed over from the theo[illegible] the practical, while the Germans con[illegible] themselves with theoretical abstraction. [illegible] the French [illegible] but [illegible] superficial [illegible] the fact is that the [illegible] philosophy in Germany en[illegible] contest [illegible] real world in which [illegible] find inward satisfaction and in which conscience [illegible]. For on the one hand, it was the Pr[illegible] which [illegible] so far in [illegible] as to realize the absolute culmination of self-consciousness; on the other hand, Pro[illegible] with respect to moral and [illegible] relations, the real world [illegible] conformance in the conviction [illegible] sentiment, which constitutes [illegible] the same thing with reason, is the [illegible] ordinances [illegible] with regard to [illegible] the constitution [illegible] the state. In Ge[illegible] the disagreement was reformed in the [illegible] of [illegible] in France it [illegible] position [illegible] the Church. In Germany the entire compass of secular [illegible] the better [illegible] celibacy, voluntary poverty and laziness [illegible] been already done away with; there was no dea[illegible] of enormous wealth attached to the church, no constraint put upon morality—[illegible] which is the source and occasion of [illegible] there was not that unspeakably horrible [illegible] which arises from the [illegible] power with secular law, nor the [illegible] Divine Right [illegible] Kings [illegible] the doctrine that the [illegible] will of princes, in

virtue of their being "the Lord's anointed," is divine and holy; on the contrary their will is regarded as deserving of respect only so far as in association with reason, which comprises [illegible] justice and the weal of the commun[illegible]. The principle of thought [illegible] had been so far reconciled already; moreover the Pro[illegible] world had a consciousness that in the [illegible] which had previously been evolved [illegible] which would result in a further de[illegible] of equity in the political sphere was already present.

Consciousness that has received an abstract [illegible] and whose sphere is the understanding [illegible] can be indifferent to religion, but religion is the general form in which truth exists for non-[illegible] consciousness. And the Protestant [illegible] [illegible] does not admit of two kinds of conscience [illegible] in the Catholic world the holy stands on the one side and on the other side abstraction opposed to religion, that is to its superstition and its truth. That formal, individual will is in virtue of the abstract position just mentioned made the basis; political theories right in so[illegible] is that which the law wills, and the will in question appears as an isolated particular will [illegible] in the aggregate of many indi[illegible] [illegible] not an independently substantial unity and the truth and essence of right and [illegible] to which [illegible] will of its individual mem[illegible] ought to be conformed in order to be true free will; but the volitional [illegible] are made the starting point, and each will is represented as absolute.

[illegible] *principle* was thus discovered [illegible] as a basis for the [illegible] which does [illegible] previous principles belong to the [illegible] social impulse the desire of security for property, etc., nor [illegible] the religious sentiment, as does the [illegible] the divine [illegible] of the govern[illegible] the principle [illegible] which is identity with my self-consciousness [illegible] of truth, which needs to be distinguished from it. This is a vast discovery in regard to the most profound depths of being and freedom. The consciousness of the [illegible] now the essential basis of the political fabric, and [illegible] has thereby become dominant. [illegible] been said that the French Revolution re[illegible] from philosophy, and it is not without reason that philosophy has been called [illegible] not only truth in and of itself as the pure essence [illegible] but also truth in its form, form as exhibited in the [illegible] of the [illegible] not, therefore, contradict the

assertion that the Revolution received its first impulse from philosophy But this philosophy is in the first instance only abstract thought not the concrete comprehension of absolute truth—intellectual positions between which there is an immeasurable chasm

The principle of the freedom of the will therefore asserted itself against existing right Before the French Revolution it must be allowed the power of the grandees had been diminished by Richelieu and they had been deprived of privileges but like the clergy they retained all the prerogatives which gave them an advantage over the lower class Th

gut and reason—an utterly irrational state of things and one with which the greatest corruption of morals of spirit was associated—an empire characterized by destitution of right and which when its real state begins to be recognized becomes shameless destitution of right The fearfully heavy burdens that pressed upon the people the embarrassment of the government to procure for the court the means of supporting luxury and extravagance gave the first impulse to discontent The new spirit began to agitate men s minds oppression drove men to investigation It was perceived that the sums extorted from the people were not expended in furthering the objects of the state but were lavished in the most unreasonable fashion The entire political system appeared one mass of injustice The change was necessarily violent because the work of transformation was not undertaken by the government And the reason why the government did not undertake it was that the court the clergy the nobility the parliaments themselves were unwilling to surrender the privileges they possessed either for the sake of expediency or that of abstract right moreover because the government as the concrete centre of the power of the state could not adopt as its principle abstract individual wills and reconstruct the state on this basis lastly because it was Catholic and therefore the idea of freedom—reason embodied in laws—did not pass for the final absolute obligation since the holy and the religious conscience are separated from them The conception the idea of right asserted its authority *all at once* and the old framework of in

tion was to be based Never since the sun had stood in the firmament and the planets revolved around him had it been perceived that man s existence centres in his head *i e* in thought inspired by which he builds up the world of reality Anaxagoras had been the first to say that νοῦς governs the world but not until now had man advanced to the recognition of the principle that thought ought to govern spiritual reality This was accordingly a glorious mental dawn All thinking beings shared in the jubilation of this epoch Emotions of a lofty character stirred men s minds at that time a spiritual enthusiasm thrilled through the world as if the reconciliation between the divine and the secular was now first accomplished

The two following points must now occupy our attention 1st The course which the revolution in France took 2d How that revolution became world historical

1 Freedom presents two aspects the one concerns its substance and purport—its objectivity—the thing itself the other relates to the form of freedom involving the consciousness of his activity on the

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self in suc

his it bein his interest that the result in question should be attained The three elements and powers of the state in actual working must be contemplated according to the above analysis their examination in detail being referred to the *Le*

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long dom of property and freedom of person Those relics of that condition of servitude which the feudal relation had introduced are hereby swept away and all those fiscal ordinances which were the bequest of the feudal law its tithes and dues are abrogated Real liberty requires moreover freedom in regard to trades and professions the permission to every one to use his abilities without restriction and the free admission to all offices of state This is a summary of the elements of real freedom and which are not based on feeling for feeling allows of the continuance even of serfdom and slavery but on the thought and self consciousness of man recognizing the spiritual character of his existence

(2) But the agency which gives the laws practical effect is the *government* generally Government is primarily the formal execution of the laws and the maintenance of their authority in respect to foreign relations it prosecutes the interest of the state that is it assists

the independence of the nation as an individual ... against other nations. Lastly, it has to provide for the internal weal of the state and all its classes—which is called administration; for it is not enough that the citizen is allowed to pursue a trade or calling, it must also be a source of gain to him; it is not enough that men are permitted to use their powers, they must also find an opportunity of applying them to purpose. Thus the state involves a body of abstract principles and a practical application of them. This application must be the work of a subjective will, a will which resolves and decides. Legislation itself, the invention and positive enactment of these statutory arrangements, is an application of such general principles. The next step, then, consists in determination and execution. Here then the question presents itself, what is the decisive will to be? The ultimate decision is the prerogative of the monarch; but if the state is based on liberty, the many wills of individuals also desire to have a share in political decisions. But the *many are all*; and it seems but a poor expedient, rather a monstrous inconsistency, to allow only a few to take part in those decisions, since each wishes that his volition should have a share in determining what is to be law for him. The few assume to be the deputies, but they are often only the *despoilers* of the many. Nor is the sway of the majority over the minority a less palpable inconsistency.

(3) This collision of subjective wills leads therefore to the consideration of a third point, that of *disposition*—an *ex animo* acquiescence in the laws; not the mere customary observance of them, but the cordial *recognition* of laws and the constitution as in principle fixed and immutable, and of the supreme obligation of individuals to subject their particular wills to them. There may be various opinions and views respecting laws, constitution, and government, but there must be a disposition on the part of the citizens to regard all these opinions as subordinate to the substantial interest of the state, and to insist upon them no further than that interest will allow; moreover, nothing must be considered higher and more sacred than good will towards the state; or, if religion be looked upon as higher and more sacred, it must involve nothing really alien or opposed to the constitution. It is, indeed, regarded as a maxim of the profoundest wisdom entirely to separate the laws and constitution from religion, since bigotry and hypocrisy are to be feared as the results of a state religion. But although the aspects of religion and the state are different, they are radically *one*; and the laws find their highest confirmation in religion.

Here it must be frankly stated that with the Catholic religion no rational constitution is possible; for government and people must reciprocate that final guarantee of disposition, and can have it only in a religion that is not opposed to a rational political constitution.

Plato in his *Republic* makes everything depend upon the government, and makes disposition the principle of the state; on which account he lays the chief stress on education. The modern theory is *diametrically opposed to this*, referring everything to the individual will. But here we have no guarantee that the will in question has that right disposition which is essential to the stability of the state.

In view then of these leading considerations we have to trace the course of the *French Revolution* and the remodelling of the state in accordance with the idea of right. In the first instance purely abstract philosophical principles were set up: disposition and religion were not taken into account. The first constitutional form of government in France was one which recognized royalty; the monarch was to stand at the head of the state ...

... volved from the very first an internal contradiction; for the legislature absorbed the whole power of the administration; the budget, affairs of war and peace, and the levying of the armed force were in the hands of the Legislative Chamber. Everything was brought under the head of law. The budget however is in its nature something diverse from law, for it is annually renewed, and the power to which it properly belongs is that of the government. With this moreover is connected the indirect *nomination* of the ministry and officers of state, etc. The government was thus transferred to the Legislative Chamber, as in England to the Parliament. This constitution was also vitiated by the existence of absolute mistrust; the dynasty lay under suspicion, because it had lost the power it formerly enjoyed, and the priests refused the oath. Neither government nor constitution could be maintained on this footing, and the ruin of both was the result. A government of some kind however is always in existence. The question presents itself then, whence did it emanate? Theoretically it proceeded from the people; really and truly from the National Convention and its Committees. The forces now dominant are the abstract

principles—freedom and as it exists within the limits of the subjective will—virtue This virtue has now to conduct the government in oppo ition to the many whom their corruption and attachment to old interests or a liberty that has degenerated into license and the violence of their passions render unfaithful to virtue Virtue is here a simple abstract principle and distinguishes the citizens into two classes only —those who are favorably disposed and those who are not But disposition can only be recognized and judged of by disposition *Suspicion* therefore is in the ascendant but virtue as soon as it becomes liable to su picion is already condemned Suspicion attained a terrible power and brought to the caffold the monarch whose subjective will was in fact the religious *conscience of a Catholic Robe pierre set up the* principle of virtue as supreme and it may be said that with this man virtue was an earnest matter *Virtue* and *terror* are the order of the day for subjective virtue whose sway is based *on disposition only brings with it the mo t fear*ful tyranny It exerci es its power without legal formalities and the punishment it inflicts is equally simple—*death* This tyranny could not last for all inclinations all interests reason itself revolted against this terribly consistent liberty which in its concentrated intensity exhibited so fanatical a shape An organized government is introduced analogous to the one that had been displaced only that its chief and monarch is now a mutable Directory of Five who may form a moral but have not an individual unity under them al o suspicion was in the ascendant and the government was in the hands of the legislative assemblies this con titution therefore experienced the same fate as its predecessor for it had proved to itself the absolute necessity of a governmental *power Napoleon* restored it as a military power and followed up this step by establishing himself as an individual will at the head of the state he knew how to rule and soon settled the internal affairs of France The *avocats* idealogues and abstract principle men who ventured to show themselves he ent to the right about and the sway of mistrust was exchanged for that of respect and fear He then with the vast might of his char

were never gained expeditions displaying greater genius were never conducted but never was the powerlessness of victory exhibited in a clearer li ht than then The disposition of the peoples *i e* their religious disposition and that of their nationality ultimately precipitated this colossus and in France constitutional monarchy with the *Charte* as its basis was restored But here again the antithesis of disposition and mistrust made its appearance The French stood in a mendacious position to each other when they issued addresses full of devotion and love to the monarchy and loading it with benediction A fifteen years farce was played. For although the *Charte* was the standard under which all were enrolled and though both parties had sworn to it yet on the one side the ruling disposition was a Catholic one which regarded it as a matter of conscience to destroy the exi t ing institutions Another breach therefore took place and the government was overturned. At *length after forty years of war and confusion* indescribable a weary heart might fain congratulate itself on seeing a termination and tranquillization of all these disturbances But although one main point is set at rest there re*mains on the one hand that rupture which the* Catholic principle inevitably occasions on the other hand that which has to do with men s subjective will In regard to the latter the main feature of incompatibility still presents it elf in the requirement that the ideal general will should also be the *empirically* general—*i e* that the units of the state in their individual capacity should rule or at any rate take part in the government Not satisfied with the establi hment of rational rights with freedom of per on and property with the existence of a political organization in which are to be found various circles of civil life each having its own functions to perform and with that influence over the people which is exercised by the intelligent members of the ommunity and the confidence that is felt in them *Liberalism*" sets up in op-

—this abstraction—the party in question allow no political organization to be firmly established The particular arrangements of the government are forthwith opposed by the advocates of liberty as the mandates of a particular will and branded as di plays of arbitrary power The will of the many expels the min stry from power and those who had formed the opposition f ll the vacant places but the latter having now become the government meet with hostility from the many and hare the same fate Thus agita

bu m terest are perpetuated. This collis on the odis, t s prob em is that with which his- ry is now occup ed, and whose olution it has w k ent m t future

W ave ow to con der the French Revo- lu m its organic connection with the *history* f the w d for m s substantial import that e e is world-h orical, and that contest of m n is w ich we discus ed in the last para n which we discus ed in the la t para be properl d inguished from its wider elations. As regards outward diffusion its ciple gained acces to almost all mod rn states, either through c quest r by express in troduction in t eir political life Particul rly all the Roman na ons and the Roman Catho- lic world in special—*France Italy Spain*—were subjected to t domin on of Liberalism B t it became bankrupt everywhere first the grand m in France t en its branches in Spain and Italy twice in fact in the tates int which t had been introduced. This was the case in pain where it was first brought in by t e Napo eonic const tion, then by that which the Cortes adopted—in Piedmont, first when t was inc r porated with the French Em ire and second time as the result f in ernal insurrection so in Rome and in Naples was twice set up Thus Liberalism as an abstraction, emanating from France, traversed the R man w ld but reli gious slavery held the world in the f ters of political servitude F is a false principle that the fetters which bind right and f eedom can be broken without the emancipation of con cien e —that there can be revolution without a ref mation. These countries, theref re sa k back into their old condition—in Italy with some modifications f the outward political condition. Venice and Genoa, those ancient aristocracies which could at least boast f legitimacy van ished as rotten despotisms. M erial uperiority in power can achieve enduring results N poleon could not coerce pain int freedom any more than Philip II could force H lland into slavery

Contrasted with these Romanic nations we observe the other powers of Europe and espe- cially the Protestant nations. *Austria* and *E g land* were ot drawn within the vortex f in ternal agitation, and exhib ed great immense proo s f their in rnal lidity *Austria* is not a kingdom, but an empire i e an aggregat f many p cal rganizations. The inhab tants of its c f provinces are ot German in rigin and characte and ha e emained unaffected by ideas. Elevated either by education re ligion, the lower classes in some districts ha e remained in a cond tion of serfdom and the no- bility have been kept down a in Bohemia a in other quarters while the forme ha e con inued the same the barons ha e maintained their des potism as in Hungary Au ria has urrendered that more in imate co nection with German which was deri ed fr m the imperial dignit and renounced its numerous po ses ions and rights in Germany and the Net e lands. It now takes i s pla e in Europe as a distinct powe in

the general convul on though it seem d o much the more liable to be affected b t as a pub c Parliament that hab t of a sembling in pub c meeting which was common to all rders of th state and a free pres off ed ingular f cilities for introducing the French princ es of liberty and equality among all classes f the peopl Was the Engl h nation too backwa d in point of cu ure to pp hend these general prin cip es Yet in no n ry has the question f liberty been m re f equently a ubject of reflec tion and public di cus on. Or was the English constitution so er rel a free con titut on had those princip es been already so complet l real ized in that they c uld no longer exc te op- posit on or even interest? The English nation may be said to ha e approved of the emancipa tion f France but it was proudly reliant on its own c n tu tio n and freedom and instead of imi ating the exampl of the foreigner it dis- pla ed its ancient hostility t its ri al and was soon in olved in a popula war with France

Th Const ution of England is a comple f mere *particular rights* and particular privileges the government is essentially admin strati e— tha is con ervati e f the interests of all par ticular rders and classes and each part cular church, parochial district county societ takes care f lf so that the go rnment, strictly speaking has n where less t do than in Eng la d. This is th leading feature of what Eng lishmen call their liberty and is the very anti thesis of ch a centralized dministration as exists in Fran where down t the least illage th mair is named by th Ministry their agents. Nowhere can peop e les t lerate free c tion on the part f th rs than in Fran th re th Ministry combines in tself all dministra t power t which on the oth hand th Chamber f Deput es lays claim. In England, on the contrary ev ry parish every subo dinate di ision and association has part f ts wn to perf rm. Thus th ommon interest is oncrete

and particular interests are taken cognizance of and determined in view of that common interest These arrangements based on particular interests render a general system impossible Con ou tl k

u n ve positive rights attached to them which date from the antique times of feudal law and have been preserved in England more than in any other country By an inconsistency of the most startling kind we find them contravening equity most grossly and of institutions characterized by real freedom there are nowhere fewer than in England In point of private right and freedom of possession they present an incredible deficiency sufficient proof of which is afforded in the rights of primogeniture involving the necessity of purchasing or otherwise providing military or ecclesiastical appointments for the younger sons of the aristocracy

The *Parliament governs* although Englishmen are unwilling to allow that such is the case It is worthy of remark that what has been always regarded as the period of the corruption of a republican people presents itself here u election to seats in Parliament by means of bribery But this also they call freedom—the power to sell one s vote and to purchase a seat in Parliament

But this utterly inconsistent and corrupt state of things has nevertheless one advantage that it provides for the possibility of a government—that it introduces a majority of men into Parliament who are statesmen who from their very youth have devoted themselves to political business and h

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fore will g e its confidence to a body of men who have had experience in governing for a general sense of particularity involves also a recognition of that form of particularity which is a distinguishing feature of one class of the community—that knowledge experience and facility acquired by practice which the aristocracy who devote themselves to such interests exclusively possess This is quite opposed to the appreciation of principles and abstract views which everyone can understand at once and which are besides to be found in all constitutions and charters It is a question whether the reform in Parliament now on the tapis consistently carried out will leave the possibility of a government

The material existence of England is based on commerce and industry and the English have undertaken the weighty responsibility of being the missionaries of civilization to the world for their commercial spirit urges them to traverse every sea and land to form connections with barbarous peoples to create wants and stimulate industry and first and foremost to establish among them the conditions necessary to commerce *vi* the relinquishment of a life of lawless violence respect for property and civility to strangers

Germany was traversed by *th* –

nution of Germany is that code of rights which was certainly occasioned by French oppression since this was the especial means of bringing to light the deficiencies of the old system The fiction of an empire has utterly vanished It is broken up into sovereign states Feudal obligations are abolished for freedom of property and of person have been recognized as fundamental principles Offices of state are open to every citizen talent and adaptation being of course the necessary conditions The government rests with the official world and the personal decision of the monarch constitutes its apex for a final decision is as was remarked above absolutely necessary Yet with firml

t certainly a very fortunate circumstance for a nation when a sovereign of noble character falls to its lot yet in a great state even this is of small moment since its strength lies in the reason incorporated in it Minor states have their existence and tranquillity secured to them more or less by their neighbours they are therefore properly speaking not independent and have not the fiery trial of war to endure As has been remarked a share in the government may be obtained by every one who has a competent knowledge experience and a morally regulated will Those who know ought to govern—*ap στο* not ignorance and the presumptuous conceit of knowing better Lastly as to disposition we h

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tant world there is no sacred no religious conscience in a state of separation from or perhaps even hostility to secular right

This is the point which consciousness has attained and these are the principal phases of that

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and particular interests are taken co nizance of and determined in view of that common interest These arrangements based on particular interests render a general system impossible Consequently abstract and general principles have no attraction for Englishmen are addressed in their case to inattentive ears The particular interests above referred to have positive rights attached to them which date from the antique times of feudal law and have been preserved in England more than in any other country By an inconsistency of the most startling kind we find them contravening equity most grossly and of institutions characterized by real freedom there are nowhere fewer than in England In point of private right and freedom of possession they present an incredible deficiency sufficient proof of which is afforded in the rights of primogeniture involving the necessity of purchasing or otherwise providing military or ecclesiastical appointments for the younger sons of the aristocracy

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government.

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Germany was traversed by the victorious French hosts but German nationality delivered it from this yoke One of the leading features in the political condition of Germany is that code of rights which was certainly occasioned by French oppression since this was the especial means of bringing to light the deficiencies of the old system The fiction of an empire has utterly vanished It is broken up into sovereign states Feudal obligations are abolished for freedom of property and of person have been recognized as fundamental principles Offices of state are open to every citizen talent and adaptation being of course the necessary conditions The government rests with the official world and the personal decision of the monarch constitutes its apex for a final decision is as was remarked above absolutely necessary Yet with firmly established laws and a settled organization of the state what is left to the sole arbitrament of the monarch is in point of substance no great matter It is certainly a very fortunate circumstance for a nation when a sovereign of noble character falls to its lot yet in a great state even this is of small moment since its strength lies in the reason incorporated in it Minor states have their existence and tranquillity secured to them more or less by their ne ghbours they are therefore properly speaking not independent and have not the fiery trial of war to endure As has been remarked a share in the government may be obtained by every one who has a competent knowledge experience and a morally regulated will Those who know ought to govern—*ap or* t not ignorance and the presumptuous conceit of knowing better La th as to disposition we have already remarked that in the Pr t Ch

tained and these are the principal phases of that

lian in which the principle of freedom has realized itself; for the History of the World is nothing but the development of the Idea of Freedom. But Objective Freedom—the laws of real Freedom—demand the subjugation of the mere contingent Will, for this is in its nature formal. If the Objective is in itself Rational, human insight and conviction must correspond with the Reason which it embodies, and then we have the other essential element—Subjective Freedom—also realized. We have confined ourselves to the consideration of that progress of the Idea and have been obliged to forego the pleasure of giving a detailed picture of the prosperity, the periods of glory that have distinguished the career of peoples, the beauty and grandeur of the character of individuals, and the interest attaching to their fate in weal or woe. Philosophy concerns itself only with the glory of the Idea mirroring itself in the History of the World. Philosophy escapes from the weary strife of passions that agitate the surface of society into the calm region of contemplation; that which interests it is the recognition of the process of development which the Idea has passed through in realizing itself—i.e. f—

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changing scenes which its annals present, is this process of development and the realization of Spirit—this is the true *Theodicæa*, the justification of God in History. Only *this* insight can reconcile Spirit with the History of the World—that *what has happened, and is happening every day, is not only not "without God," but is essentially His work.*